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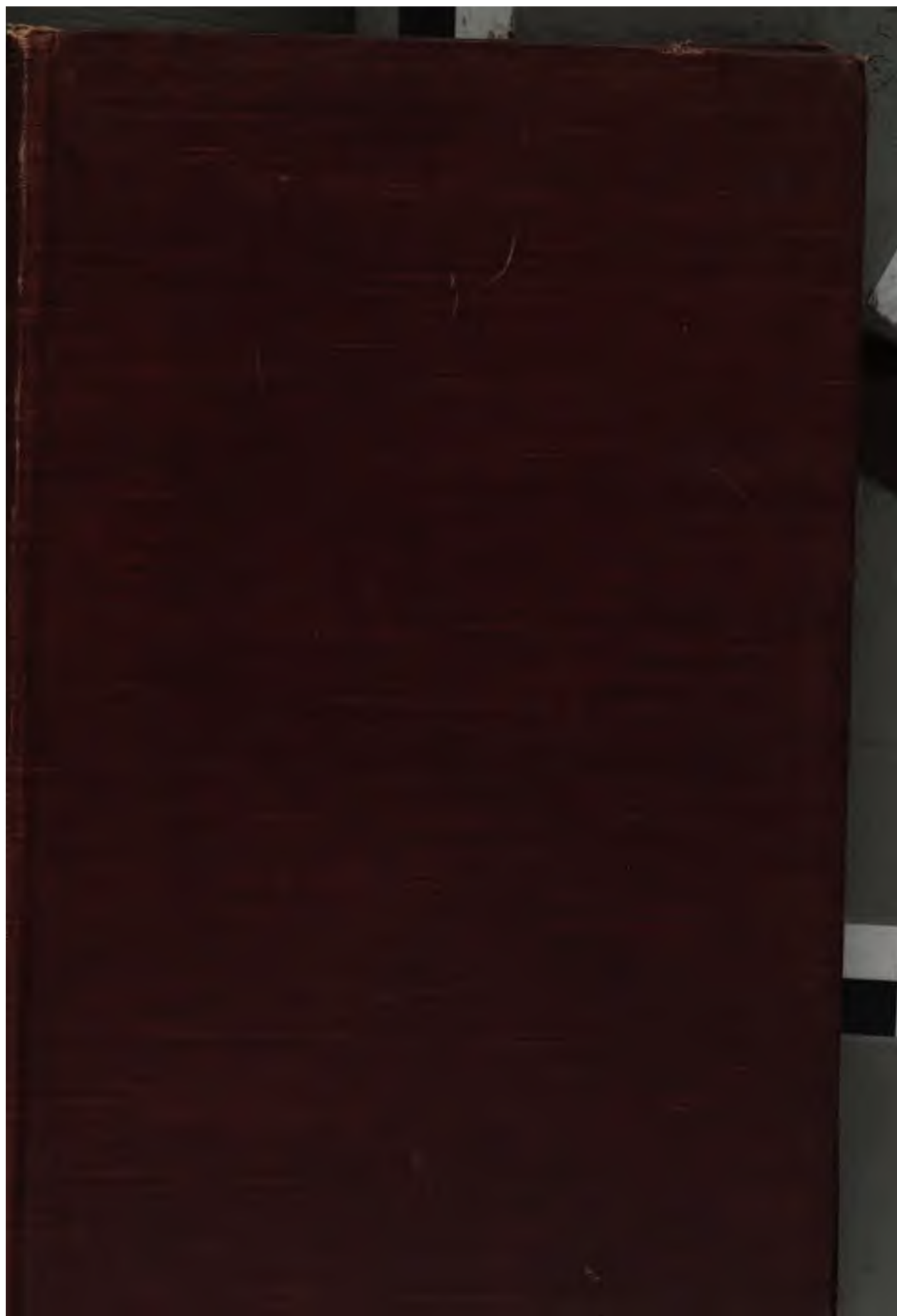
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EXECUTIVE REGISTER

OF THE

UNITED STATES

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EXECUTIVE REGISTER

OF THE

UNITED STATES

1789-1902

EXECUTIVE REGISTER

OF THE

UNITED STATES

1789-1902

A list of the Presidents and their cabinets, to which have been added
the laws governing their election, appointment, qualification,
and term of office, the electoral and popular vote at each
election, and, as an appendix, literal copies of the
Declaration of Independence, the Articles
of Confederation, and the Constitution

COMPILED BY

ROBERT BRENT MOSHER

WASHINGTON, D. C.

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1907

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PREFACE

A complete list of the heads of the executive departments from the beginning of the government, in 1789, to the present time does not exist even in the departments themselves, and it was the primary object of this publication to supply the need; but as the work progressed it seemed that its value as a book of reference would be materially enhanced if there should be added the constitutional provisions and the acts of Congress governing the election, qualification, and term of the President, and the appointment, qualification, and term of the heads of departments. There have also been included the electoral and popular vote at each election, the first acts providing for the several departments, and, as an appendix, literal copies of the Declaration of Independence, the Articles of Confederation, and the Constitution, from the originals in the archives of the Department of State.

The dates of entry upon duty and termination of service of the members of the cabinet, which represent the actual beginning and close of their services in the departments, have been taken from the department records, contemporary newspapers, memoirs, biographies, and the correspondence of the forefathers.

The term cabinet, which has no place in the Constitution or laws, has been popularly applied to the executive officers who are regularly consulted by the President. The Attorney General was included in this category from the beginning, although the Department of Justice was not established until 1870. The Postmaster General was not a mem-

ber until 1829, and the Post Office Department was not established as an executive department until 1872; but as the office has always been a high one, not under the direction and control of any of the departments, it is included in this list.

The order in which the departments appear follows the act of Congress providing for the Presidential succession in case of vacancy in the Presidency and Vice-Presidency; and, following the logic of Chief Justice Marshall's opinion of February 20, 1821, the commencement of the service of the Presidents is set down as of the date upon which the oath was administered.

The popular vote for Presidential electors begins with the election of 1824, for the reason that until that year most of the State Legislatures "appointed" their electors, and there was no direct vote for them.

ROBERT BRENT MOSHER.

WASHINGTON, D. C., *January, 1903.*

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EXECUTIVE REGISTER OF THE UNITED STATES

1789-1902

THE CONSTITUTION OF THE UNITED STATES.

* * * * *

ARTICLE II.

Section 1. (1) The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected as follows:

(2) Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

[* The Electors shall meet in their respective States and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for Each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than

* This clause has been superseded by the 12th amendment.

one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.]

(3) The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

(4) No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

(5) In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

(6) The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

(7) Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—

“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

Section 2. (1) The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

(2) He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

(3) The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he

4 EXECUTIVE REGISTER OF THE UNITED STATES

shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

* * * * *

ARTICLE VI.

* * * * *

The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound, by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

The Constitution was adopted by the Convention on the 17th of September, 1787, in pursuance of the resolution of the Congress of the Confederation of the 21st of February, 1787, and was ratified by the Conventions of the several States, as follows, viz.:

Delaware,	on the 7th December,	1787.
Pennsylvania,	" 12th December,	1787.
New Jersey,	" 18th December,	1787.
Georgia,	" 2nd January,	1788.
Connecticut,	" 9th January,	1788.
Massachusetts,	" 6th February,	1788.
Maryland,	" 28th April,	1788.
South Carolina,	" 23d May,	1788.
New Hampshire,	" 21st June,	1788.
Virginia,	" 26th June,	1788.
New York,	" 26th July,	1788.
North Carolina,	" 21st November,	1789.
Rhode Island,	" 29th May,	1790.

JOURNALS OF CONGRESS.

Saturday, September 13, 1788.—“Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th of September in the same year, report to the United States in Congress assembled, a constitution for the people of the United States; whereupon Congress, on the 28th of the same September, did resolve unanimously, ‘That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity of the resolves of the convention made and provided in that case:’ And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the secretary; therefore,

Resolved, That the first Wednesday in January next, be the day for appointing electors in the several states, which, before the said day, shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president; and that the first Wednesday in March next, be the time, and the present seat of Congress the place for commencing proceedings under the said constitution.” (Journals of Congress, Vol. XIII., p. 105).

THE ADMINISTRATION
OF
GEORGE WASHINGTON

FIRST TERM

April 30, 1789, to March 3, 1793

ELECTORAL VOTES FOR PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES OF AMERICA.

ELECTION FOR THE FIRST TERM, COMMENCING 4TH MARCH, 1789, AND TERMINATING 3RD MARCH, 1792.

[illegible]

GEORGE WASHINGTON, Virginia.

JOHN ADAMS, Massachusetts.

April 30, 1789, to March 3, 1793.

SECRETARY OF STATE.

JOHN JAY, of New York, Secretary for Foreign Affairs under the Confederation, continued at the head of the State Department, at the request of Washington, until Jefferson arrived in New York on March 21, 1790.

THOMAS JEFFERSON, of Virginia, nominated September 25, 1789; confirmed and commissioned September 26, 1789; entered upon duties March 22, 1790, and served through remainder of the administration.

SECRETARY OF THE TREASURY.

ALEXANDER HAMILTON, of New York, nominated, confirmed, and commissioned September 11, 1789; entered upon duties same day; served through remainder of the administration.

SECRETARY OF WAR.

HENRY KNOX, of Massachusetts, nominated September 11, 1789; confirmed and commissioned September 12, 1789; entered upon duties same day; served through remainder of the administration.

ATTORNEY GENERAL.

EDMUND RANDOLPH, of Virginia, nominated September 25, 1789; confirmed and commissioned September 26, 1789; entered upon duties February 2, 1790; served through remainder of the administration.

POSTMASTER GENERAL.

SAMUEL OSGOOD, of Massachusetts, nominated September 25, 1789; confirmed and commissioned September 26, 1789; entered upon duties same day; resigned July 11, 1791, and served to August 19, 1791.

TIMOTHY PICKERING, of Pennsylvania, commissioned August 12, 1791, during recess of the Senate; entered upon duties August 19, 1791; nominated October 31, 1791; confirmed and recommissioned November 7, 1791; served through the remainder of the administration.

[Senate Journal, 1st Congress, 1st session.]

SATURDAY, APRIL 25, 1789.

* * * * *

The Committee appointed to consider of the time, place and manner in which, and of the person by whom the oath prescribed by the Constitution shall be administered to the President of the United States, and to confer with a Committee of the House appointed for that purpose,

REPORT, That the President hath been pleased to signify to them that any time or place which both Houses may think proper to appoint, and any manner which shall appear most eligible to them, will be convenient and acceptable to him—That requisite preparations cannot probably be made before Thursday next—That the President be on that day FORMALLY received by both Houses in the Senate Chamber—That the Representative's Chamber being capable of receiving the greater number of persons, that therefore the President do take the oath in that place, and in the presence of both Houses.

That after the formal reception of the President in the Senate Chamber, he be attended by both Houses to the Representative's Chamber, and that the oath be administered by the Chancellor of the State of New-York.

* * * * *

MONDAY, APRIL 27, 1789.

The Committee appointed to take order for conducting the ceremonial of the formal reception, &c. of the President, REPORTED, That it appears to them more eligible, that the oath should be administered to the President in the outer gallery adjoining the Senate Chamber, than in the Representative's Chamber, and therefore, submit to the respective Houses the propriety of authorizing their Committee to take order as to the place where the oath shall be administered to the President, the resolution of Saturday, assigning the Representative's Chamber as the place, notwithstanding—

READ AND ACCEPTED.

RESOLVED, That after the oath shall have been administered to the President, he, attended by the Vice President and the members of the Senate and House of Representatives, proceed to St. Paul's Chapel, to hear Divine Service, to be performed by the Chaplain of Congress already appointed.

* * * * *

TUESDAY, APRIL 28, 1789.

A LETTER was received from the Speaker of the House by the President of the Senate, containing the two following enclosures:

The REPORT of a joint Committee upon the ceremonial to be observed in administering the oath, &c. to the President, as accepted in the House of Representatives; and

* * * * *

The above mentioned report was read, and ordered to lie on the table.

* * * * *

THURSDAY, APRIL 30, 1789.

The REPORT of the Committee on the mode of communication between the Senate and House of Representatives, was taken up, and after debate postponed.

Mr. Lee, in behalf of the Committee appointed to take

order for conducting the ceremonial of the formal reception, &c. of the President of the United States, having informed the Senate, that the same was adjusted; the House of Representatives were notified, that the Senate were ready to receive them in the Senate Chamber, to attend the President of the United States while taking the oath required by the Constitution.—Whereupon, the House of Representatives, preceded by their Speaker, came into the Senate Chamber, and took the seats assigned them; and the joint Committee, preceded by their Chairman, agreeably to order, introduced the PRESIDENT of the UNITED STATES to the Senate Chamber, where he was received by the VICE PRESIDENT, who conducted him to the CHAIR; when the VICE PRESIDENT informed him, that “The SENATE and HOUSE of REPRESENTATIVES of the UNITED STATES were ready to attend him to take the oath required by the Constitution, and that it would be administered by the Chancellor of the State of New-York.”—To which the PRESIDENT replied, HE WAS READY TO PROCEED:—and being attended to the gallery in front of the Senate Chamber, by the Vice President and Senators, the Speaker and Representatives, and the other public characters present, the oath was administered.—After which the Chancellor proclaimed, “*LONG LIVE GEORGE WASHINGTON, PRESIDENT OF THE UNITED STATES.*”

The PRESIDENT having returned to his seat, after a short pause, arose and addressed the Senate and House of Representatives as follows:—

FELLOW-CITIZENS of the SENATE and
of the HOUSE of REPRESENTATIVES:

AMONG the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the 14th day of the present month.—On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had

chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years: A retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time.—On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken in the wisest and most experienced of her citizens, a distrustful scrutiny into his qualifications, could not but overwhelm with despondence, one, who, inheriting inferior endowments from nature and unpracticed in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies.—In this conflict of emotions, all I dare aver, is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance, by which it might be affected.—All I dare hope, is, that, if in executing this task, I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendant proof, of the confidence of my fellow-citizens; and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me; my ERROR will be palliated by the motives which misled me, and its consequences be judged by my country, with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station; it would be peculiarly improper to omit in this first official act, my fervent supplications to that Almighty being who rules over the universe,—who presides in the Councils of nations,—and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves for these essential purposes: and may enable every instrument employed in its administration, to execute with success, the functions allotted to his charge.—In tendering this homage to the Great

Author of every public and private good, I assure myself that it expresses your sentiments not less than my own:—nor those of my fellow-citizens at large, less than either.—No people can be bound to acknowledge and adore the invisible hand, which conducts the affairs of men, more than the people of the United States.—Every step, by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency—and in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude along with an humble anticipation of the future blessings which the past seem to presage.—These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed.—You will join with me I trust in thinking, that there are none under the influence of which, the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the President “To recommend to your consideration, such measures as he shall judge necessary and expedient.”—The circumstances under which I now meet you, will acquit me from entering into that subject, farther than to refer to the great constitutional Charter under which you are assembled; and which, in defining your powers, designates the objects to which your attention is to be given.—It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt them.—In these honorable qualifications, I behold the surest pledges, that as on one side, no local prejudices, or attachments; no separate views, nor party animosities, will misdirect the comprehensive and

equal eye which ought to watch over this great assemblage of communities and interests: so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of free government, be exemplified, by all the attributes which can win the affections of its citizens, and command the respect of the world.—I dwell on this prospect with every satisfaction which an ardent love for my country can inspire: since there is no truth more thoroughly established, than that there exists in the œconomy and course of nature, an indissoluble union between virtue and happiness,—between duty and advantage,—between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity:—since we ought to be no less persuaded that the propitious smiles of Heaven, can never be expected on a nation that disregards the eternal rules of order and right, which Heaven itself has ordained:—and since the preservation of the sacred fire of liberty and the destiny of the republican model of government, are justly considered as DEEPLY, perhaps as FINALLY staked, on the experiment entrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide, how far an exercise of the occasional power delegated by the fifth article of the constitution is rendered expedient at the present juncture by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them.—Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good:—for I assure myself that whilst you carefully avoid every alteration which might endanger the benefits of an united and effective government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of free-men, and a regard for the public harmony, will sufficiently

influence your deliberations on the question how far the former can be more impregnably fortified, or the latter be safely and advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the House of Representatives.—It concerns myself, and will therefore be as brief as possible.—When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation.—From this resolution I have in no instance departed.—And being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments, which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together,—I shall take my present leave; but not without resorting once more to the benign Parent of the human race, in humble supplication that since he has been pleased to favor the American people, with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity on a form of government, for the security of their union, and the advancement of their happiness; so his divine blessing may be equally CONSPICUOUS in the enlarged views,—the temperate consultations,—and the wise measures on which the success of this government must depend.

G. WASHINGTON.

April 30.

The PRESIDENT, the Vice President, the Senate and House of Representatives, &c. then proceeded to St. Paul's Chapel, where divine service was performed by the Chap-

lain of Congress, after which the PRESIDENT was reconducted to his house, by the Committee appointed for that purpose.

The Vice President and Senate returned to the Senate Chamber, and,

Upon motion, UNANIMOUSLY AGREED, that a committee of three should be appointed to prepare an answer to the President's Speech—

Mr. Johnson,
Mr. Paterson, and
Mr. Carroll, were elected.

Adjourned to 11 o'clock to-morrow morning.

TITLE TO BE ANNEXED TO THE PRESIDENT.

[Senate Journal, 1st Congress, 1st Session, May 14, 1789.]

* * * * *

The Committee appointed on the 9th inst. to determine "Under what TITLE it will be proper for the Senate to address the PRESIDENT"—and to confer with a Committee of the House of Representatives "Upon the disagreeing votes of the Senate and House," informed the Senate, that they had conferred with a Committee of the House of Representatives, but could not agree upon a report.

The Committee appointed the 9th inst. "To consider and report under what TITLE it will be proper for the Senate to address the PRESIDENT OF THE UNITED STATES OF AMERICA," REPORTED—That in the opinion of the Committee it will be proper thus to address the PRESIDENT—*HIS HIGHNESS THE PRESIDENT OF THE UNITED STATES OF AMERICA, AND PROTECTOR OF THEIR LIBERTIES.*—

Which report was postponed—

And the following resolve was agreed to; to wit:—

From a decent respect for the opinion and practice of civilized nations, whether under monarchical or republican forms of government, whose custom is to annex TITLES of

respectability to the OFFICE of their CHIEF MAGISTRATE; and that, on intercourse with foreign nations, a due respect for the majesty of the people of the United States, may not be hazarded by an appearance of singularity; the Senate have been induced to be of opinion, that it would be proper to annex a RESPECTABLE TITLE to the OFFICE of PRESIDENT of the UNITED STATES: But the Senate, DESIROUS of PRESERVING HARMONY with the House of Representatives, where the practice lately observed in presenting an address to the PRESIDENT was without the addition of TITLES, think it proper for the present to act in conformity with the practice of that House:—

Therefore RESOLVED, that the present address be—"To the PRESIDENT of the UNITED STATES"—without addition of TITLE.

A motion was made to strike out the preamble as far as the words "But the Senate"; which passed in the negative—

And on motion for the main question—it passed in the affirmative.

* * * * *

[United States Statutes at Large, Vol. 1, p. 23.]

June 1, 1789. Chapter 1.—*An Act to regulate the Time and Manner of administering certain Oaths.*

Constitution of the U. S., article 6. Sec. 1. *Be it enacted by the Senate and (House of) Representatives of the United States of America in Congress assembled,* That the oath or affirmation required by the sixth article of the Constitution of the United States, shall be administered in the form following, to wit: "I, A. B. do solemnly swear or affirm (as the case may be) that I will support the Constitution of the United States."

* * * * *

To all officers of the U. States appointed, or to be appointed, before they act. Sec. 4. *And be it further enacted,* That all officers appointed, or hereafter to be appointed under the authority of the United States, shall, before they act in their respective offices, take the same oath or affirmation, which shall be administered by the person or persons who shall be authorized by law to administer to such officers their respective

oaths of office; and such officers shall incur the same penalties in case of failure, as shall be imposed by law in case of failure in taking their respective oaths of office.

* * * * *

Approved, June 1, 1789.

[United States Statutes at Large, Vol. 1, p. 28.]

Chap. IV.—*An Act for establishing an Executive Department, to be denominated the Department of Foreign Affairs.* July 27, 1789.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be an Executive department, to be denominated the Department of Foreign Affairs, and that there shall be a principal officer therein, to be called the Secretary for the Department of Foreign Affairs, who shall perform and execute such duties as shall from time to time be enjoined on or intrusted to him by the President of the United States, agreeable to the Constitution, relative to correspondences, commissions or instructions to or with public ministers or consuls, from the United States, or to negotiations with public ministers from foreign states or princes, or to memorials or other applications from foreign public ministers or other foreigners, or to such other matters respecting foreign affairs, as the President of the United States shall assign to the said department; and furthermore, that the said principal officer shall conduct the business of the said department in such manner as the President of the United States shall from time to time order or instruct.

Altered by act of September 15, 1789, ch. 14, sec. 1.

Secretary of Foreign Affairs, his duties.

To conform to instructions of the President.

Sec. 2. *And be it further enacted,* That there shall be in the said department, an inferior officer, to be appointed by the said principal officer, and to be employed therein as he shall deem proper, and to be called the chief Clerk in the Department of Foreign Affairs, and who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy, shall during such vacancy have the charge and custody of all records, books and papers appertaining to the said department.

Principal clerk, his duty.

Oath of office. Sec. 3. *And be it further enacted,* That the said principal officer, and every other person to be appointed or employed in the said department, shall, before he enters on the execution of his office or employment, take an oath or affirmation, well and faithfully to execute the trust committed to him.

Secretary to take charge of papers, &c., of foreign department. Sec. 4. *And be it further enacted,* That the Secretary for the Department of Foreign Affairs, to be appointed in consequence of this act, shall forthwith after his appointment, be entitled to have the custody and charge of all records, books and papers in the office of Secretary for the Department of Foreign Affairs, heretofore established by the United States in Congress assembled.

Approved, July 27, 1789.

[United States Statutes at Large, Vol. 1, p. 49.]

Aug. 7, 1789. Chap. VII.—*An Act to establish an Executive Department, to be denominated the Department of War.*

1798, ch. 35. Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be an executive department to be

Secretary for the department of war, his duty. denominated the Department of War, and that there shall be a principal officer therein, to be called the Secretary for the Department of War, who shall perform and execute such duties as shall from time to time be enjoined on, or entrusted to him by the President of the United States, agreeably to the Constitution, relative to military commissions, or to the land or naval forces, ships, or warlike stores of the United States, or to such other matters respecting military or naval affairs, as the President of the United States shall assign to the said department, or relative to the granting of lands to persons entitled thereto, for military services rendered to the United States, or relative to Indian affairs; and furthermore, that the said principal officer shall conduct the business of the said Department in such manner, as the President of the United States shall from time to time order or instruct.

Principal clerk, his duty. Sec. 2. *And be it further enacted,* That there shall be in the said department an inferior officer, to be appointed by

the said principal officer, to be employed therein as he shall deem proper, and to be called the chief clerk in the department of war, and who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy, shall, during such vacancy, have the charge and custody of all records, books and papers, appertaining to the said department.

Sec. 3. *And be it further enacted*, That the said principal officer, and every other person to be appointed or employed in the said department, shall, before he enters on the execution of his office or employment, take an oath or affirmation well and faithfully to execute the trust committed to him. Oath of office.

Sec. 4. *And be it further enacted*, That the Secretary for the department of war, to be appointed in consequence of this act, shall forthwith after his appointment, be entitled to have the custody and charge of all records, books and papers in the office of Secretary for the department of war, heretofore established by the United States in Congress assembled. Secretary to take charge of papers, &c., of war department.

Approved, August 7, 1789.

[United States Statutes at Large, Vol. 1, p. 65.]

Chap. XII.—*An Act to establish the Treasury Department.* Sept. 2, 1789.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be a Department of Treasury, in which shall be the following officers, namely: a Secretary of the Treasury, to be deemed head of the department; a Comptroller, an Auditor, a Treasurer, a Register, and an Assistant to the Secretary of the Treasury, which assistant shall be appointed by the said Secretary. Department designated.

Sec. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to digest and prepare plans for the improvement and management of the revenue, and for the support of public credit; and to prepare and report estimates of the public revenue, and the public expenditures; to superintend the collection of the revenue; to Duties of the Secretary.

Officers: Secretary, Comptroller, Auditor, Treasurer, Register, Assistant to Secretary.

decide on the forms of keeping and stating accounts and making returns, and to grant under the limitations herein established, or to be hereafter provided, all warrants for monies to be issued from the Treasury, in pursuance of appropriations by law; to execute such services relative to the sale of the lands belonging to the United States, as may be by law required of him; to make report and give information to either branch of the legislature, in person or in writing (as he may be required), respecting all matters referred to him by the Senate or House of Representatives, or which shall appertain to his office; and generally to perform all such services relative to the finances, as he shall be directed to perform.

Duties of the
Comptroller.

Act of March 3,
1800, ch. 28, sec. 2.

Duties of the
Treasurer.

Sec. 3. *And be it further enacted*, That it shall be the duty of the Comptroller to superintend the adjustment and preservation of the public accounts; to examine all accounts settled by the Auditor, and certify the balances arising thereon to the Register; to countersign all warrants drawn by the Secretary of the Treasury, which shall be warranted by law; to report to the Secretary the official forms of all papers to be issued in the different offices for collecting the public revenue, and the manner and form of keeping and stating the accounts of the several persons employed therein. He shall moreover provide for the regular and punctual payment of all monies which may be collected, and shall direct prosecutions for all delinquencies of officers of the revenue, and for debts that are, or shall be due to the United States.

Sec. 4. *And be it further enacted*, That it shall be the duty of the Treasurer to receive and keep the monies of the United States, and to disburse the same upon warrants drawn by the Secretary of the Treasury, countersigned by the Comptroller, recorded by the Register, and not otherwise; he shall take receipts for all monies paid by him, and all receipts for monies received by him shall be endorsed upon warrants signed by the Secretary of the Treasury, without which warrant, so signed, no acknowledgment for money received into the public Treasury shall be valid. And the said Treasurer shall render his accounts to the Comptroller

quarterly, (or oftener if required,) and shall transmit a copy thereof, when settled, to the Secretary of the Treasury. He shall moreover, on the third day of every session of Congress, lay before the Senate and House of Representatives, fair and accurate copies of all accounts by him from time (to time) rendered to, and settled with the Comptroller as aforesaid, as also, a true and perfect account of the state of the Treasury. He shall, at all times, submit to the Secretary of the Treasury, and the Comptroller, or either of them, the inspection of the monies in his hands; and shall, prior to the entering upon the duties of his office, give bond, with sufficient sureties, to be approved by the Secretary of the Treasury and Comptroller, in the sum of one hundred and fifty thousand dollars, payable to the United States, with condition for the faithful performance of the duties of his office, and for the fidelity of the persons to be by him employed, which bond shall be lodged in the office of the Comptroller of the Treasury of the United States. Act of March 3, 1800, ch. 28, sec. 1.

Sec. 5. *And be it further enacted*, That it shall be the duty of the Auditor to receive all public accounts, and after examination to certify the balance, and transmit the accounts with the vouchers and certificate to the Comptroller for his decision thereon: *Provided*, That if any person whose account shall be so audited, be dissatisfied therewith, he may within six months appeal to the Comptroller against such settlement. Duties of the Auditor.
Act of May 8, 1792, ch. 37, sec. 7.
Act of March 3, 1800, ch. 28, sec. 2.

Sec. 6. *And be it further enacted*, That it shall be the duty of the Register to keep all accounts of the receipts and expenditures of the public money, and of all debts due to or from the United States; to receive from the Comptroller the accounts which shall have been finally adjusted, and to preserve such accounts with their vouchers and certificates; to record all warrants for the receipt or payment of monies at the Treasury, certify the same thereon, and to transmit to the Secretary of the Treasury, copies of the certificates of balances of accounts adjusted as is herein directed. Duties of the Register.

Sec. 7. *And be it further enacted*, That whenever the Secretary shall be removed from office by the President of Secretary removed, or his office vacant, assistant secretary to have custody of records, &c.

the United States, or in any other case of vacancy in the office of Secretary, the Assistant shall, during the vacancy, have the charge and custody of the records, books, and papers appertaining to the said office.

Persons appointed,
to office under this
act, Prohibition
upon. 1791, ch.
18, sec. 1.

Sec. 8. *And be it further enacted*, That no person appointed to any office instituted by this act, shall directly or indirectly be concerned or interested in carrying on the business of trade or commerce, or be owner in whole or in part of any sea-vessel, or purchase by himself, or another in trust for him, any public lands or other public property, or be concerned in the purchase or disposal of any public securities of any State, or of the United States, or take or apply to his own use, any emolument or gain for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if any person shall offend against any of the prohibitions of this act, he shall be deemed guilty of a high misdemeanor, and forfeit to the United States the penalty of three thousand dollars, and shall upon conviction be removed from office, and forever thereafter incapable of holding any office under the United States; *Provided*, That if any other person than a public prosecutor shall give information of any such offence, upon which a prosecution and conviction shall be had, one half the aforesaid penalty of three thousand dollars, when recovered, shall be for the use of the person giving such information.

Penalty for breach
of the prohibitions
of the law.

Approved, September 2, 1789.

[United States Statutes at Large, Vol. 1, p. 68.]

Sept. 15, 1789. Chap. XIV.—*An Act to provide for the safe-keeping of the Acts, Records and Seal of the United States, and for other purposes.*

(Act of July 27,
1789, ch. 4.) Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*,

Department of
foreign affairs
changed to
the department
of state.

That the Executive department, denominated the Department of Foreign Affairs, shall hereafter be denominated the Department of State, and the principal officer therein shall hereafter be called the Secretary of State.

Sec. 2. *And be it further enacted*, That whenever a bill, order, resolution, or vote of the Senate and House of Representatives, having been approved and signed by the President of the United States, or not having been returned by him with his objections, shall become a law, or take effect, it shall forthwith thereafter be received by the said Secretary from the President; and whenever a bill, order, resolution, or vote, shall be returned by the President with his objections, and shall, on being reconsidered, be agreed to be passed, and be approved by two-thirds of both Houses of Congress, and thereby become a law or take effect, it shall, in such case, be received by the said Secretary from the President of the Senate, or the Speaker of the House of Representatives, in whichsoever House it shall last have been so approved; and the said Secretary shall, as soon as conveniently may be, after he shall receive the same, cause every such law, order, resolution, and vote, to be published in at least three of the public newspapers printed within the United States, and shall also cause one printed copy to be delivered to each Senator and Representative of the United States, and two printed copies duly authenticated to be sent to the Executive authority of each State; and he shall carefully preserve the originals, and shall cause the same to be recorded in books to be provided for the purpose.

Additional duties assigned the secretary of the said department.

Act of March 2, 1799, ch. 30, sec. 1 and 4.

Sec. 3. *And be it further enacted*, That the seal heretofore used by the United States in Congress assembled, shall be, and hereby is declared to be, the seal of the United States.

Seal of the U. States.

Sec. 4. *And be it further enacted*, That the said Secretary shall keep the said seal, and shall make out and record, and shall affix the said seal to all civil commissions, to officers of the United States, to be appointed by the President by and with the advice and consent of the Senate, or by the President alone. *Provided*, That the said seal shall not be affixed to any commission, before the same shall have been signed by the President of the United States, nor to any other instrument or act, without the special warrant of the President therefor.

Secretary to keep and affix the seal to all civil commissions.

Sec. 5. *And be it further enacted*, That the said Secretary

Secretary to provide a seal of office. shall cause a seal of office to be made for the said department of such device as the President of the United States

Copies. shall approve, and all copies of records and papers in the said office, authenticated under the said seal, shall be evidence equally as the original record or paper.

Fees of office to be paid for the use of the U. States.

Sec. 6. *And be it further enacted*, That there shall be paid to the Secretary, for the use of the United States, the following fees of office, by the persons requiring the services to be performed, except when they are performed for any officer of the United States, in a matter relating to the duties of his office, to wit: For making out and authenticating copies of records, ten cents for each sheet, containing one hundred words; for authenticating a copy of a record or paper under the seal of office, twenty-five cents.

Secretary to have custody of papers, &c., of late Congress.

Sec. 7. *And be it further enacted*, That the said Secretary shall forthwith after his appointment be entitled to have the custody and charge of the said seal of the United States, and also of all books, records and papers, remaining in the office of the late Secretary of the United States in Congress assembled; and such of the said books, records and papers, as may appertain to the Treasury department, or War department, shall be delivered over to the principal officers in the said departments respectively, as the President of the United States shall direct.

Approved, September 15, 1789.

[United States Statutes at Large, Vol. 1, p. 70.]

Sept. 22, 1789. Chap. XVI.—*An Act for the temporary establishment of the Post-Office.*

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be appointed a Postmaster General; his powers and salary, and the compensation to the assistant or clerk and deputies which he may appoint, and the regulations of the post-office shall be the same as they last were under the resolutions and ordinances of the late Congress. The Postmaster General to be subject to the direction of the

Powers and salary.

President of the United States in performing the duties of his office, and in forming contracts for the transportation of the mail.

Sec. 2. *And be it further enacted*, That this act shall continue in force until the end of the next session of Congress, and no longer.

Limitation.
1790, ch. 86.
1791, ch. 28.
1792, ch. 7.

Approved, September 22, 1789.

[United States Statutes at Large, Vol. 1, p. 73.]

Chap. XX.—*An Act to establish the Judicial Courts of the United States.*

Sept. 24, 1789.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

* * * * *

Sec. 35. *And be it further enacted.*

* * * * *

And there shall also be appointed a meet person, learned in the law, to act as attorney-general for the United States, who shall be sworn or affirmed to a faithful execution of his office; whose duty it shall be to prosecute and conduct all suits in the Supreme Court in which the United States shall be concerned, and to give his advice and opinion upon questions of law when required by the President of the United States, or when requested by the heads of any of the departments, touching any matters that may concern their departments, and shall receive such compensation for his services as shall by law be provided.

Attorney-General of the U. S.

Duties.

Act of May 29, 1890 ch. 153.

Compensation.

Approved, September 24, 1789.

Term of President, when it began.—Senate Journal, 1st Congress, 2nd session, May 14, 1790.

* * * * *

The Senate proceeded to consider the report of the joint Committee, appointed the 28th of April, which is as follows:

The Committee of Senate, to join with a Committee appointed by the House of Representatives, to consider and report their opinion on the question, when, according to the Constitution, the terms for which the President, Vice President, Senators and Representatives, have been respectively chosen, shall be deemed to have commenced? and also to consider of, and report their opinion on such other matters as they should conceive to have relation to this question,

Report as the opinion of the said joint Committees—

That the terms for which the President, Vice President, Senators and Representatives of the United States, were respectively chosen, did, according to the Constitution, commence on the 4th day of March, 1789; and so the Senators of the first class, and the Representatives, will not, according to the Constitution, be entitled by virtue of the same election by which they hold seats in the present Congress, to seats in the next Congress, which will be assembled after the 3d day of March 1791; and further, that whenever a vacancy shall happen in the Senate or House of Representatives, and an election to fill such vacancy, the person elected, will not, according to the Constitution, be entitled by virtue of such election, to hold a seat beyond the time for which the Senator or Representative in whose stead such person shall have been elected, would, if the vacancy had not happened, have been entitled to hold a seat,—

That it will be advisable for the Congress to pass a Law or Laws for determining, agreeable to the provision in the first section of the 2d article of the Constitution, the time when the electors shall, in the year which will terminate on the 3d day of March 1793, and so in every fourth year thereafter, be chosen, and the day on which they shall give their votes: For declaring what officer shall, in case of vacancy, both in the office of President and Vice President, act as President: For assigning a public office where the lists, mentioned in the 2d paragraph of the 1st section of the 2d article of the Constitution, shall, in case of vacancy in the office of President of the Senate, or his absence from the seat of government, be in the mean time deposited: And

for directing the mode in which such lists shall be transmitted,—

Whereupon,

Resolved, That the Senate do agree to this report.

Ordered, That a message be sent to the House of Representatives, to acquaint them herewith.

* * * * *

[United States Statutes at Large, Vol. 1, p. 178.]

Chap. XXXVI.—*An Act to continue in force for a limited time, an act intituled "An Act for the temporary establishment of the Post-Office."* August 4, 1790.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed the last session of Congress, intituled "An act for the temporary establishment of the post-office," be, and the same hereby is continued in force until the end of the next session of Congress, and no longer.

Former act declared in force till the next session, March 4, 1791.
1791, ch. 22.
1789, ch. 16.

Approved, August 4, 1790.

[United States Statutes at Large, Vol. 1, p. 218.]

Chap. XXIII.—*An Act to continue in force for a limited time, an act intituled "An act for the temporary establishment of the Post-Office."* March 3, 1791.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act passed the first session of Congress, intituled "an act for the temporary establishment of the post-office," be, and the same is hereby continued in full force until the end of the next session of Congress, and no longer.

Former act for temporary establishment of post-office continued.
1789, ch. 16.
1792, ch. 7.

Sec. 2. *And be it further enacted,* That all letters to and from the treasurer, comptroller and auditor of the treasury, and the assistant to the secretary of the treasury, on public service, shall be received and conveyed by the post, free of postage.

Letters on public service to officers of the treasury to be conveyed free of postage.

Sec. 3. *And be it further enacted,* That the postmaster general shall be and he is hereby authorized to extend the

Mail to be extended from Albany to Bennington.

carrying the mail from Albany, in the state of New York, to Bennington in the state of Vermont.

Approved, March 3, 1791.

[United States Statutes at Large, Vol. 1, p. 232.]

Feb. 20, 1792. Chap. VII.—*An Act to establish the Post-Office and Post Roads within the United States.*

Establishing post roads after 1st June next.
1794, ch. 28.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the first day of June next, the following roads be established as post roads, namely: From Wiscassett in the district of Maine, to Savannah in Georgia, by the following route, to wit: Portland, Portsmouth, Newburyport, Ipswich, Salem, Boston, Worcester, Springfield, Hartford, Middletown, New Haven, Stratford, Fairfield, Norwalk, Stamford, New York, Newark, Elizabethtown, Woodbridge, Brunswick, Princeton, Trenton, Bristol, Philadelphia, Chester, Wilmington, Elkton, Charlestown, Havre de Grace, Hartford, Baltimore, Bladensburg, Georgetown, Alexandria, Colchester, Dumfries, Fredericksburg, Bowling Green, Hanover Court House, Richmond, Petersburg, Halifax, Tarborough, Smithfield, Fayetteville, Newbridge over Drowning creek, Cheraw Court House, Camden, Statesburg, Columbia, Cambridge and Augusta; and from thence to Savannah, and from Augusta by Washington in Wilkes County to Greenborough, and from thence by the great falls of Ogechee and Georgetown, to Augusta, and from Statesburg to Charleston, and from Charleston to Georgetown, from Charleston to Savannah, and from Savannah, by Newport bridge to Sunbury; and also from Portsmouth by Exeter and Concord, to Hanover in New Hampshire; and from Salem to Mablehead, and from Salem to Gloucester; and from Boston, by Providence, Newport, and New London, to New Haven, and from Boston, through Taunton, to New Bedford; and from Taunton, through Warren and Bristol, to Newport, and from Boston, by Plymouth, to Barnstable; and from Springfield in the

state of Massachusetts, to Kinderhook in the state of New York, and from Springfield, by Northampton, Brattleborough, and Charlestown, by Windsor in Vermont, to Hanover, and from Hartford, by Middletown, to New London; also from Hartford to Norwich, and Providence; and from Providence to Worcester, and from Philadelphia, by Lancaster, Yorktown, Carlisle, Shippensburg, Chambersburg, Bedford, and Greensburg, to Pittsburg; and from Philadelphia to Bethlehem; from Bethlehem, by Reading and Harrisburg, to Carlisle, and from Bethlehem, by Easton, Sussex Court House, Goshen, Ward's Bridge, and Kingston, to Rhinebeck; from Philadelphia, by Salem, to Bridgetown; and from Wilmington, by Warwick, Georgetown, Cross Roads, Chestertown, Chester Mills, and Easton, to Vienna; and from Vienna, by Salisbury, to Snow Hill; also from Wilmington, by Newcastle, Cantwell's Bridge and Duck Creek, to Dover; and from thence by Milford, Dagsborough, Snow Hill, and Northampton Court House, to Norfolk in Virginia; and from Baltimore to Annapolis, Upper Marlborough, Piscatawa, Port Tobacco, Allen's Fresh, Newport, and Chaptico, to Leonardtown; and from Richmond, by Williamsburg, Yorktown and Hampton, to Norfolk; and from Fredericksburg, by Port Royal and Tappahannock, to Urbanna; and from thence, crossing Rappahanock, and proceeding by Northumberland Court House, to Kinsale on the river Yeocomico, thence by Westmoreland Court House, through Leedstown, to Fredericksburg; and from Petersburg, by Cabin Point, Smithfield, and Suffolk, to Portsmouth, and from Suffolk, to Edenton, and by Plymouth to Washington; and from Washington to Newbern, and thence to Wilmington; and from Fayetteville, by Elizabethtown, to Wilmington; and from Halifax, by Warrington, Hillsborough, Salem, to Salisbury; from Halifax, by Bluntsville, Williamston, Daileys to Plymouth; and from Edenton, by Hertford, Nixonton, Sawyer's Ferry, in Camden county, to Indiantown, in Currituck county; and from New York, by Albany, Bennington, Manchester and Rutland, to Burlington, on Lake Champlain; and from Albany, by Schenectady, to Connajorharrie; from

New York to Hartford, through Whiteplains, North Castle, Salem, Poundridge, Ridgefield, Danbury, Newtown, New Milford, Litchfield, Harrington and Farmington; from Newark or Elizabethtown, by Morristown, to Sussex Court House; from Woodbridge to Amboy; from Alexandria, by Salisbury, Leesburg, Sheperdstown, Martinsburg, Winchester, Stevensburg, Strasburg, Woodstock, and Rockingham Court House, to Staunton; and from Richmond, by Columbia, Charlottesville, Staunton, Lexington, Fincastle, Montgomery Court House, Wythe Court House, Abingdon, and Hawkins Court House, in the territory South of the river Ohio, to Danville in Kentucky; and from Baltimore, by Fredericktown and Sharpsburg, to Hagerstown; and from thence to Chambersburg: *Provided*, That the route, by which the mails are at present conveyed, shall in no case be altered, without the consent of the contractors, till the contracts made by the Postmaster General shall be determined.

P. M. Gen. may
enter into contracts
for carrying mail
it to exceed eight
years.

Sec. 2. *And be it further enacted*, That it shall and may be lawful for the Postmaster General to enter into contracts, for a term not exceeding eight years, for extending the line of posts, and to authorize the person or persons, so contracting, to receive, during the continuance of such contract, according to the rates by this act established, all the postage which shall arise on letters, newspapers and packets, conveyed by any such post; and the roads, therein designated, shall, during the continuance of such contract, be deemed and considered as post roads, within the terms and provisions of this act: *Provided*, That no such contract shall be made, to the diminution of the revenue of the general post-office, and that a duplicate of every such contract, under hand and seal, shall, within sixty days after the execution thereof, be lodged in the office of the comptroller of the treasury of the United States.

General post-office
at seat of
government.

Sec. 3. *And be it further enacted*, That there shall be established, at the seat of the government of the United States, a general post-office. And there shall be one Postmaster General, who shall have authority to appoint an assistant, and deputy postmasters, at all places where such

shall be found necessary. And he shall provide for carrying the mail of the United States, by stage carriages or horses, as he may judge most expedient; and as often as he, having regard to the productiveness thereof, as well as other circumstances, shall think proper, and defray the expenses thereof, with all other expenses arising on the collection and management of the revenue of the post-office. He shall also have power to prescribe such regulations to the deputy postmasters, and others employed under him, as may be found necessary, and to superintend the business of the department, in all the duties that are, or may be assigned to it, and also to direct the route or road, where there are more than one, between the places above established, which route or road shall be considered as the post road.

Sec. 4. *And be it further enacted*, That the Postmaster General shall, once in three months, obtain from his deputies, the accounts and vouchers of their receipts and expenditures, and the balances due thereon, and render to the secretary of the treasury, a quarterly account of all the receipts and expenditures in the said department, to be adjusted and settled as other public accounts, and shall pay, quarterly, into the treasury of the United States, the balance in his hands. And the Postmaster General, and his assistant, the deputy postmasters, and such as they may employ in their offices, shall, respectively, before they enter upon the duties, or be entitled to receive the emoluments of their offices, and the contractors for carrying the mail, and their agents or servants, to whom the mail shall be entrusted, before they commence the execution of said trust, shall, respectively, take and subscribe before some justice of the peace, the following oath or affirmation, and cause a certificate thereof to be filed in the office of the Postmaster General: "I do swear (or affirm as the case may be) that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the law in relation to the establishment of post-offices and post-roads within the United States."

P. M. Gen. to settle
accounts quarterly,

and, with persons
employed by him,

to take oath.

Sec. 5. *And be it further enacted*, That if any person shall

Penalty on obstructing the mail and negligence of ferrymen. obstruct or retard the passage of the mail, or of any horse or carriage carrying the same, he shall, upon conviction for every such offence, pay a fine not exceeding one hundred dollars. And if any ferryman shall, by wilful negligence, or refusal to transport the mail across any ferry, delay the same, he shall forfeit, and pay, for each half hour that the same shall be so delayed, a sum not exceeding ten dollars.

Postmaster General to give notice previous to making contract for conveying the mail, and lodge the contract in the comptroller's office. Sec. 6. *And be it further enacted*, That it shall be the duty of the Postmaster General, to give public notice in one or more of the newspapers published at the seat of government of the United States, and in one or more of the newspapers published in the state or states where the contract is to be performed, for at least six weeks before the entering into any contract for the conveyance of the mail that such contract is intended to be made, and the day on which it shall be concluded; describing the places, from and to which such mail is to be conveyed; the time at which it is to be made up; the day and hour, at which it is to be delivered; and the penalty or penalties for non-performance of the stipulations. He shall, moreover, within thirty days after the making of any contract, lodge the same, together with the proposals which he shall have received respecting the same, in the office of the comptroller of the treasury of the United States.

Dep. P. M. to keep an office. Sec. 7. *And be it further enacted*, That every deputy postmaster shall keep an office in which one or more persons shall attend at such hours as the Postmaster General shall direct, for the purpose of performing the duties thereof. And all letters brought to any post-office, half an hour before the time of making up the mail at such office, shall be forwarded therein.

Allowance to P. M. G. and assistant. Sec. 8. *And be it further enacted*, That from and after the passing of this act, the Postmaster General shall be allowed, for his services, at the rate of two thousand dollars per annum, his assistant, at the rate of one thousand dollars per annum, to be paid quarterly, out of the revenues of the post-office: and no fees or perquisites shall be received by either of them, on account of the duties to be performed in virtue of their appointments.

Sec. 9. *And be it further enacted*, That from and after the first day of June next, the deputy postmaster and persons authorized by the Postmaster General, shall demand and receive, for the postage and conveyance of letters and packets, except such as are herein after excepted, according to the several rates and sums following: For the postage of every single letter, to or from any place by land not exceeding thirty miles, six cents; over thirty miles, and not exceeding sixty, eight cents; over sixty miles, and not exceeding one hundred, ten cents; over one hundred miles, and not exceeding one hundred and fifty, twelve cents and a half; over one hundred and fifty miles, and not exceeding two hundred, fifteen cents; over two hundred miles, and not exceeding two hundred and fifty, seventeen cents; over two hundred and fifty miles, and not exceeding three hundred and fifty, twenty cents; over three hundred and fifty miles, and not exceeding four hundred and fifty, twenty-two cents; and to or from any place by land, more than four hundred and fifty miles, twenty-five cents; and every double letter shall pay double the said rates; every triple letter, triple; every packet weighing one ounce avoirdupois, to pay, at the rate of four single letters for each ounce, and in that proportion, for any greater weight.

Rates of postage
from 1st June 1792.

Sec. 10. *And be it further enacted*, That all letters and packets, passing by sea to and from the United States, or from one port to another therein, in packet boats or vessels, the property of, or provided by the United States, shall be rated and charged as follows: For every single letter, eight cents; for every double letter, sixteen cents; for every triple letter or packet, twenty-four cents; for every letter or packet brought into the United States, or carried from one port therein to another by sea, in any private ship or vessel, four cents, if delivered at the place where the same shall arrive; and if directed to be delivered at any other place, with the addition of the like postage, as other letters are made subject to the payment of by this act.

Rates of letters and
packets passing by
sea.

Sec. 11. *And be it further enacted*, That if any deputy postmaster, or other person authorized by the Postmaster

Penalty on demand-
ing or receiving
beyond stipulated
postage.

General, to receive the postages of letters, shall fraudulently demand or receive any rate of postage, or any gratuity or reward, other than is provided by this act for the postage of letters or packets on conviction thereof, he shall forfeit for every such offence, one hundred dollars, and shall be rendered incapable of holding any office under the United States.

Duty of masters of vessels previous to making report, &c.

Sec. 12. *And be it further enacted*, That no ship or vessel, arriving at any port within the United States, where a post-office is established, shall be permitted to report, make entry or break bulk, till the master or commander shall have delivered to the postmaster, all letters directed to any person or persons within the United States, which, under his care or within his power, shall be brought in such ship or vessel, other than such as are directed to the owner or consignee: but when a vessel shall be bound to another port, than that, at which she may enter, the letters belonging to, or to be delivered at the said port of delivery, shall not be delivered to the postmaster at the port of entry. And it shall be the duty of the collector or other officer of the port, empowered to receive entries of ships or vessels, to require from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid.

Duty of P. M. on receipt of letters from foreign packets, &c.

Sec. 13. *And be it further enacted*, That the postmasters to whom such letters may be delivered, shall pay to the master, commander, or other person delivering the same, except the commanders of foreign packets, two cents for every such letter or packet; and shall obtain from the person delivering the same, a certificate specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be with his half-yearly accounts, transmitted to the Postmaster General, who shall credit the amount thereof to the postmaster forwarding the same.

Penalty on persons offending against this act.

Sec. 14. *And be it further enacted*, That if any person, other than the Postmaster General, or his deputies, or per-

sons by them employed, shall take up, receive, order, dispatch, convey, carry or deliver any letter or letters, packet or packets, other than newspapers, for hire or reward, or shall be concerned in setting up any foot or horse post, wagon or other carriage, by or in which any letter or packet shall be carried for hire, on any established post-road, or any packet, or other vessel or boat, or any conveyance whatever, whereby the revenue of the general post-office may be injured, every person, so offending, shall forfeit, for every such offence, the sum of two hundred dollars. *Provided*, That it shall and may be lawful for every person to send letters or packets by special messenger.

Sec. 15. *And be it further enacted*, That the deputy postmasters or agents of the Postmaster General, shall duly Deputies to account with P. M. G. for bye letters. account and answer to him, for all bye or way-letters, and shall specify the number and rates in the post bill. And if any deputy postmaster or agent shall neglect so to account, he or they so offending, shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding one hundred Penalty on neglecting, dollars.

Sec. 16. *And be it further enacted*, That if any person, employed in any of the departments of the general post-office, shall unlawfully detain, delay, or open, any letter, detaining, delaying or secreting letters, &c. packet, bag or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and which are intended to be conveyed by post: Or if any such person shall secrete, embezzle or destroy any letter or packet, entrusted to him, as aforesaid, and which shall not contain any security for, or assurance relating to money, as herein after described, every such offender, being thereof duly convicted, shall, for every such offence, be fined not exceeding three hundred dollars, or imprisoned not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person employed as aforesaid, shall secrete, embezzle or destroy, any letter, packet, bag, or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and are intended to be conveyed by post, containing any bank note, or bank

post bill, bill of exchange, warrant of the treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for, or relating to the payment of money, or other bond or warrant, draft, bill, or promissory note whatsoever, for the payment of money; or if any such person, employed as aforesaid, shall steal or take any of the same out of any letter, packet, bag or mail of letters, that shall come to his possession, he shall, on conviction for any such offence, suffer death. And if any person, who shall have taken charge of the mail of the United States, shall quit or desert the same, before his arrival at the next post-office, every such person, so offending, shall forfeit and pay a sum, not exceeding five hundred dollars, for every such offence. And if any person, concerned in carrying the mail of the United States, shall collect, receive or carry any letter or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

Penalty on persons
robbing the mail.

Sec. 17. *And be it further enacted*, That if any person or persons shall rob any carrier of the mail of the United States, of such mail, or if any person shall rob the mail, in which letters are sent to be conveyed by post, of any letter or packet, or shall steal such mail, or shall steal and take from or out of the same, or from or out of any post-office, any letter or packet, such offender or offenders shall, on conviction thereof, suffer death.

Deputies to publish
every three months
list of letters then
on hand, &c.

Sec. 18. *And be it further enacted*, That the deputy post-masters shall, respectively, publish at the expiration of every three months, in one of the newspapers published at, or nearest the place of his residence, for three successive weeks, a list of all the letters then remaining in their respective offices; and at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the general post-office, where the same shall be opened and inspected; and if any valuable papers or matter

of consequence, shall be found therein, it shall be the duty of the Postmaster General, to cause a descriptive list thereof to be inserted in one of the newspapers, published at the place most convenient to where the owner may be supposed to reside, if within the United States, and such letter and the contents shall be preserved, to be delivered to the person, to whom the same shall be addressed, upon payment of the postage, and the expense of publication.

Sec. 19. *And be it further enacted*, That the following letters and packets, and no other, shall be received and conveyed by post, free of postage, under such restrictions, as are hereinafter provided; that is to say: All letters and packets to or from the President or Vice President of the United States, and all letters and packets, not exceeding two ounces in weight, to or from any member of the Senate or House of Representatives, the Secretary of the Senate or Clerk of the House of Representatives, during their actual attendance in any session of Congress, and twenty days after such session. All letters to and from the Secretary of the Treasury, and his assistant, Comptroller, Register, and Auditor of the Treasury, the Treasurer, the Secretary of State, the Secretary at War, the Commissioners for settling the accounts between the United States and individual states, the Postmaster General and his assistant: *Provided*, That no person shall frank or enclose any letter or packet, other than his own; but any public letter or packet from the department of the Treasury may be franked by the Secretary of the Treasury, or the assistant Secretary, or by the Comptroller, Register, Auditor or Treasurer; and that each person before named shall deliver to the post-office every letter or packet enclosed to him, which may be directed to any other person, noting the place, from whence it came by post, and the usual postage shall be charged thereon.

Certain letters to be conveyed free of postage.

Sec. 20. *And be it further enacted*, That if any person shall counterfeit the hand-writing of any other person, in order to evade the payment of postage; such person or persons, so offending, and being thereof duly convicted, shall forfeit and pay, for every such offence, the sum of one hundred dollars.

Penalty on counterfeiting the franking to evade postage.

Privilege of news
printers.

Sec. 21. *And be it further enacted*, That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations, as the Postmaster General shall provide.

Newspapers how to
be put up for the
mail

Sec. 22. *And be it further enacted*, That all newspapers, conveyed in the mail, shall be under a cover open at one end, carried in separate bags from the letters, and charged with the payment of one cent, for any distance not more than one hundred miles, and one cent and a half for any greater distance: And it shall be the duty of the Postmaster General and his deputy, to keep a separate account for the newspapers, and the deputy postmasters shall receive fifty per cent. on the postage of all newspapers: And if any other matter or thing be enclosed in such papers, the whole packet shall be charged, agreeably to the rates established by this act, for letters or packets. And if any of the persons employed in any department of the post-office, shall unlawfully detain, delay, embezzle or destroy any newspaper, with which he shall be entrusted, such offenders, for every such offence, shall forfeit a sum, not exceeding fifty dollars:

P. M. Gen. may
permit contractor
carry newspapers;
and

Provided, That the Postmaster General, in any contract, he may enter into, for the conveyance of the mail, may authorize the person, with whom such contract is made, to carry newspapers, other than those conveyed in the mail.

How such commis-
sion to deputies as
he may deem ade-
quate, not to
exceed, &c.

Sec. 23. *And be it further enacted*, That the Postmaster General be, and he is hereby authorized to allow to the deputy postmasters respectively, such commission on the monies arising from the postage of letters and packets, as he shall think adequate to their respective services: *Provided*, That the said commission shall not exceed forty per cent. to any deputy, whose compensation thereby shall not exceed fifty dollars, nor thirty per cent. to any deputy, whose compensation thereby shall not exceed one hundred dollars, nor twenty per cent. to any other deputy, except the postmaster at the port, where the European packets do, or shall steadily arrive: to whom such farther allowance, in addition to the emoluments of his office, shall be made, as the Post-

master General shall deem a reasonable compensation for his extra services in the receipt and dispatch of letters, originally received into his office, from on board such packets, and by him forwarded to other offices: *And provided also*, That the compensations aforesaid shall not exceed eighteen hundred dollars per annum to any one postmaster for all services by him rendered. to any one \$1800 per annum.

Sec. 24. *And be it further enacted*, That if any deputy postmaster or other person, authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts, and pay over to the Postmaster General, the balance by him due, at the end of every three months, it shall be the duty of the Postmaster General, to cause a suit to be commenced against the person or persons so neglecting or refusing: And if the Postmaster General shall not cause such suit to be commenced within three months, from the end of every such three months, the balances due from every such delinquent shall be charged to, and recoverable from the Postmaster General. P. M. Gen. to prosecute deputies neglecting to settle quarterly—and penalty on his neglect thereof.

Sec. 25. *And be it further enacted*, That all pecuniary penalties and forfeitures, incurred under this act, shall be, one half for the use of the person or persons informing and prosecuting for the same, the other half to the use of the United States. Appropriation of penalties under this act.

Sec. 26. *And be it further enacted*, That it shall be lawful for the Postmaster General, to make provision, where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel, beyond sea, or from any port of the United States to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the postmaster of the port to which such ship or vessel shall be bound. And for every letter or packet so received, there shall be paid, at the time of its reception, a postage of one cent. And the Postmaster General may make arrangements with the postmasters in any foreign country for the reciprocal receipt and delivery of letters and packets, through the post-offices. P. M. Gen. to make provision for receipt of letters sent or received by sea.

Sec. 27. *And be it further enacted*, That the deputy post- Postmasters, &c. exempt from militia duty.

masters, and the persons employed in the transportation of the mail, shall be exempt from militia duties, or any fine or penalty for neglect thereof.

Appropriations of
surplus revenue of
general post-office.

Sec. 28. *And be it further enacted*, That all the surplus revenue of the general post-office, which shall have accrued, previous to the first day of June next, not heretofore appropriated, be and the same is hereby appropriated towards defraying any deficiency which may arise in the revenue of the said department for the year next ensuing.

Former acts
continued till
1st June.

1791, ch. 23.

Sec. 29. *And be it further enacted*, That the act passed the last session of Congress, intituled "An act to continue in force, for a limited time, an act, intituled 'An act for the temporary establishment of the post-office,'" be, and the same is hereby continued in full force, until the first day of June next, and no longer.

Limitation of
this act.

Sec. 30. *And be it further enacted*, That this act shall be in force for the term of two years, from the said first day of June next, and no longer.

Approved, February 20, 1792.

[United States Statutes at Large, Vol. 1, p. 239.]

March 1, 1792.

Chap. VIII.—*An Act relative to the Election of a President and Vice President of the United States, and declaring the Officer who shall act as President in case of Vacancies in the offices both of President and Vice-President.*

March 26, 1804,
ch. 50.
States how to
appoint electors for
election of president
and vice president;
when to meet
and vote;

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That except in case of an election of a President and Vice President of the United States, prior to the ordinary period as herein after specified, electors shall be appointed in each state for the election of a President and Vice President of the United States, within thirty-four days preceding the first Wednesday in December, one thousand seven hundred and ninety-two, and within thirty-four days preceding the first Wednesday in December in every fourth year succeeding the last election, which electors shall be equal to the number of Senators and Representatives, to which the

several states may by law be entitled at the time, when the President and Vice President, thus to be chosen, should come into office: *Provided always*, That where no apportionment of Representatives shall have been made after any enumeration, at the time of choosing electors, then the number of electors shall be according to the existing apportionment of Senators and Representatives.

Sec. 2. *And be it further enacted*, That the electors shall meet and give their votes on the said first Wednesday in December, at such place in each state as shall be directed, by the legislature thereof; and the electors in each state shall make and sign three certificates of all the votes by them given, and shall seal up the same certifying on each that a list of the votes of such state for President and Vice President is contained therein, and shall by writing under their hands, or under the hands of a majority of them, appoint a person to take charge of and deliver to the President of the Senate, at the seat of government, before the first Wednesday in January then next ensuing, one of the said certificates, and the said electors shall forthwith forward by the post-office to the President of the Senate, at the seat of government, one other of the said certificates, and shall forthwith cause the other of the said certificates to be delivered to the judge of that district in which the said electors shall assemble.

to sign three certificates of all the votes given.

How to be disposed of.

1804, ch. 50, sec. 1.

Sec. 3. *And be it further enacted*, That the executive authority of each state shall cause three lists of the names of the electors of such state to be made and certified and to be delivered to the electors on or before the said first Wednesday in December, and the said electors shall annex one of the said lists to each of the lists of their votes.

Duty of executive of each state;

Sec. 4. *And be it further enacted*, That if a list of votes, from any state, shall not have been received at the seat of government on the said first Wednesday in January, that then the Secretary of State shall send a special messenger to the district judge in whose custody such list shall have been lodged, who shall forthwith transmit the same to the seat of government.

of Sec. of State on non-receipt of list of votes.

- Congress to be in session on 2d Wednesday in Feb. 1793. Sec. 5. *And be it further enacted*, That Congress shall be in session on the second Wednesday in February, one thousand seven hundred and ninety-three, and on the second Wednesday in February succeeding every meeting of the electors, and the said certificates, or so many of them as shall have been received, shall then be opened, the votes counted, and the persons who shall fill the offices of President and Vice President ascertained and declared, agreeably to the constitution.
- Twelfth amendment of the constitution, p. 22. Sec. 6. *And be it further enacted*, That in case there shall be no President of the Senate at the seat of government on the arrival of the persons entrusted with the lists of the votes of the electors, then such persons shall deliver the lists of votes in their custody into the office of the Secretary of State, to be safely kept and delivered over as soon as may be, to the President of the Senate.
- Duty of persons sent with lists of votes; allowance to them. Sec. 7. *And be it further enacted*, That the persons appointed by the electors to deliver the lists of votes to the President of the Senate, shall be allowed on the delivery of the said lists twenty-five cents for every mile of the estimated distance by the most usual road, from the place of meeting of the electors, to the seat of government of the United States.
- Penalty on their neglect of duty. Sec. 8. *And be it further enacted*, That if any person appointed to deliver the votes of the electors to the President of the Senate, shall after accepting of his appointment neglect to perform the services required of him by this act, he shall forfeit the sum of one thousand dollars.
- Provision in case of death, &c. of president and vice president; Sec. 9. *And be it further enacted*, That in case of removal, death, resignation or inability both of the President and Vice President of the United States, the President of the Senate pro tempore, and in case there shall be no President of the Senate, then the Speaker of the House of Representatives, for the time being shall act as President of the United States until the disability be removed or a President shall be elected.
- duty of Sec. of State on such event. Sec. 10. *And be it further enacted*, That whenever the offices of President and Vice President shall both become

vacant, the Secretary of State shall forthwith cause a notification thereof to be made to the executive of every state, and shall also cause the same to be published in at least one of the newspapers printed in each state, specifying that electors of the President of the United States shall be appointed or chosen in the several states within thirty-four days preceding the first Wednesday in December then next ensuing: *Provided*, There shall be the space of two months between the date of such notification and the said first Wednesday in December, but if there shall not be the space of two months between the date of such notification and the first Wednesday in December; and if the term for which the President and Vice President last in office were elected shall not expire on the third day of March next ensuing, then the Secretary of State shall specify in the notification that the electors shall be appointed or chosen within thirty-four days preceding the first Wednesday in December in the year next ensuing, within which time the electors shall accordingly be appointed or chosen, and the electors shall meet and give their votes on the said first Wednesday in December, and the proceedings and duties of the said electors and others shall be pursuant to the directions prescribed in this act.

Sec. 11. *And be it further enacted*, That the only evidence of a refusal to accept or of a resignation of the office of President or Vice President, shall be an instrument in writing declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State. Evidence of refusal &c. of office of president, &c.

Sec. 12. *And be it further enacted*, That the term of four years for which a President and Vice President shall be elected shall in all cases commence on the fourth day of March next succeeding the day on which the votes of the electors shall have been given. When the term of four years shall commence.

Approved March 1, 1792.

[United States Statutes at Large, Vol. 1, p. 279.]

Chap. XXXVII.—*An Act making alterations in the Treasury and War Departments.*

May 8, 1792. Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

* * * * *

Power of the
President on death,
&c. of the heads of
the three
departments.

Sec. 8. *And be it further enacted,* That in case of the death, absence from the seat of government, or sickness of the Secretary of State, Secretary of the Treasury, or of the Secretary of the War department, or of any officer of either of the said departments whose appointment is not in the head thereof, whereby they cannot perform the duties of their said respective offices, it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize any person or persons at his discretion to perform the duties of the said respective offices until a successor be appointed, or until such absence or inability by sickness shall cease.

1796, ch. 21.

* * * * *

Approved, May 8, 1792.

**THE ADMINISTRATION
OF
GEORGE WASHINGTON**

SECOND TERM

March 4, 1793, to March 3, 1797

48 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE SECOND TERM COMMENCING 4TH MARCH, 1793,
AND TERMINATING 3RD MARCH, 1797.

Number of Electoral Votes.	STATES.	G. Washington, of Virginia.	John Adams, of Massachusetts.	George Clinton, of New York.	Thos. Jefferson, of Virginia.	Aaron Burr, of New York.
6	New Hampshire.....	6	6	..	..	..
16	Massachusetts.....	16	16	..	..	..
4	Rhode Island.....	4	4	..	..	..
9	Connecticut.....	9	9	..	..	..
3	Vermont.....	3	3	..	..	..
12	New York.....	12	..	12	..	..
7	New Jersey.....	7	7	..	..	..
15	Pennsylvania.....	15	14	1	..	..
3	Delaware.....	3	3	..	..	..
8	Maryland.....	8	8	..	..	..
21	Virginia.....	21	..	21	..	..
4	Kentucky.....	4	..	..	4	..
12	North Carolina.....	12	..	12	..	..
8	South Carolina.....	8	7	..	..	1
4	Georgia.....	4	..	4	..	..
132, whole number; necessary to elect, 67.		132	77	50	4	1

[Works of Hamilton, by John C. Hamilton, Vol. IV, p. 341.]

WASHINGTON TO HAMILTON AND KNOX.

February 27, 1793.

Sir:

As the day is near at hand when the President elect is to take the oath of qualification, and no mode is pointed out by the Constitution or by law, I could wish that you, Mr. Jefferson (Gen. Knox or Col. Hamilton), and Mr. Randolph, could meet tomorrow morning at any place which you may fix between yourselves, and communicate to me the result of your opinions as to time, place. and manner of qualification.

GEORGE WASHINGTON.

P. S. Mr. Jefferson and Mr. Randolph have suggested the idea of meeting at the War Office, at nine o'clock, to-morrow morning. If this is convenient and agreeable to you, you will be there accordingly; if otherwise, you will be so good as to let me know.

CABINET OPINION.

Feb. 27, 1793.

If the qualification is to be in private, T. J., A. H., H. K., and E. R. are of opinion that Mr. Cushing should administer the oath to the President at his own house, where such officers, or others, as he may notify, will attend. T. J. and A. H. think that it ought to be in private.

CABINET OPINION.

March 1, 1793.

It is our opinion,

1. That the President ought to take the oath in public.
2. That the time be on Monday next, at twelve o'clock in the forenoon.
3. That the place be the Senate chamber.
4. That the Marshal of the district inform the Vice-President, that the Senate chamber, being the usual place of the President's public acts, is supposed to be the best place for taking the oath, and that it is wished that the chamber be open.
5. That it may be informally notified to the Vice-President, Governor, and Foreign Ministers, that the oath is to be taken at the time and place above mentioned.
6. That Mr. Cushing be requested to attend, and administer the oath.
7. That the President go without form, attended by such gentlemen as he may choose, and return without form, except that he be preceded by the Marshal.

H. KNOX.

EDM. RANDOLPH.

My opinion given yesterday was founded upon prudential considerations of the moment; though I think it right, in the abstract, to give publicity to the act in question. If this is to be done on the present occasion, I see no objection to the above form. I am not, however, satisfied that prudential considerations are not equally balanced.

A. HAMILTON.

GEORGE WASHINGTON, Virginia.

JOHN ADAMS, Massachusetts.

March 4, 1793, to March 3, 1797.

SECRETARY OF STATE.

THOMAS JEFFERSON, of Virginia, continued from last administration; resigned and ceased to act December 31, 1793.

EDMUND RANDOLPH, of Virginia, nominated January 1, 1794; confirmed and commissioned January 2, 1794; entered upon duties January 2, 1794; resigned August 19, 1795, and served to August 20, 1795.

TIMOTHY PICKERING, of Pennsylvania (Secretary of War), *ad interim* August 20, 1795, to December 9, 1795.

TIMOTHY PICKERING, of Pennsylvania, nominated December 9, 1795; confirmed and commissioned December 10, 1795; served through remainder of the administration.

SECRETARY OF THE TREASURY.

ALEXANDER HAMILTON, of New York, continued from last administration; resigned and ceased to act January 31, 1795.

OLIVER WOLCOTT, JR., of Connecticut, nominated February 2, 1795; confirmed February 3, 1795; commissioned February 2, 1795; entered upon duties February 2, 1795; served through remainder of the administration.

SECRETARY OF WAR.

HENRY KNOX, of Massachusetts, continued from last administration; resigned December 28, 1794; served to December 31, 1794.

TIMOTHY PICKERING, of Pennsylvania, nominated, confirmed and commissioned January 2, 1795; entered upon duties January 2, 1795; commissioned Secretary of State December 10, 1795.

TIMOTHY PICKERING, of Pennsylvania (Secretary of State),
ad interim December 10, 1795, to February 5, 1796.

JAMES MCHENRY, of Maryland, nominated January 26,
1796; confirmed and commissioned January 27, 1796;
entered upon duties February 6, 1796; served through
remainder of the administration.

ATTORNEY GENERAL.

EDMUND RANDOLPH, of Virginia, continued from last ad-
ministration; commissioned Secretary of State January
2, 1794.

WILLIAM BRADFORD, of Pennsylvania, nominated January
24, 1794; confirmed and commissioned January 27, 1794;
entered upon duties January 29, 1794; died August 23,
1795.

CHARLES LEE, of Virginia, nominated December 9, 1795;
confirmed and commissioned December 10, 1795; en-
tered upon duties same day; served through remainder
of the administration.

POSTMASTER GENERAL.

TIMOTHY PICKERING, of Pennsylvania, continued from last
administration; recommissioned during recess of the
Senate June 1, 1794, under act of May 8, 1794; nomi-
nated December 10, 1794; confirmed and recommis-
sioned December 11, 1794; commissioned Secretary of
War January 2, 1795.

JOSEPH HABERSHAM, of Georgia, nominated February 24,
1795; confirmed and commissioned February 25, 1795;
served through remainder of the administration.

[United States Statutes at Large, Vol. 1, p. 415.]

Feb. 12, 1795.
Act of May 8, 1792,
ch. 37.
In case of vacancy
in the departments,
President to fill
them.

Chap. XXI.—*An Act to amend the act intituled "An act
making alterations in the Treasury and War departments."*
*Be it enacted by the Senate and House of Representatives
of the United States of America in Congress assembled, That
in case of vacancy in the office of Secretary of State, Secre-*

tary of the Treasury, or of the Secretary of the department of War, or of any officer of either of the said departments, whose appointment is not in the head thereof, whereby they cannot perform the duties of their said respective offices; it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize any person or persons, at his discretion, to perform the duties of the said respective offices, until a successor be appointed, or such vacancy be filled: *Provided*, That no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months.

Approved, February 13, 1795.

THE ADMINISTRATION

OF

JOHN ADAMS

March 4, 1797, to March 3, 1801

ELECTION FOR THE THIRD TERM, COMMENCING 4TH MARCH, 1797, AND TERMINATING 3RD MARCH, 1801.

Number of Electoral Votes.	STATES.	John Adams, of Massachusetts.	Thos. Jefferson, of Virginia.	Thos. Pinckney, of S. Carolina.	Aaron Burr, of New York.	Sam'l Adams, of Massachusetts.	O. Ellsworth, of Connecticut.	John Jay, of New York.	Geo. Clinton, of New York.	S. Johnston, of N. Carolina.	Jas. Iredell, of N. Carolina.	G. Washington, of Virginia.	C. C. Pinckney, of S. Carolina.	John Henry, of Maryland.
3	Tennessee .....	..	3	..	3	..	..	..	..	..	..	..	..	..
4	Kentucky .....	..	4	..	4	..	..	..	..	..	..	..	..	..
4	Georgia .....	..	4	..	..	..	..	..	4	..	..	..	..	..
8	South Carolina .....	..	8	8	..	..	..	..	..	..	..	..	..	..
13	North Carolina	1	11	1	6	..	..	..	..	..	3	1	1	..
21	Virginia	1	20	1	1	15	..	..	8	..	..	1	..	..
11	Maryland	7	4	4	3	..	..	..	..	..	..	..	..	..
3	Delaware	3	..	3	..	..	..	..	..	..	..	..	..	..
15	Pennsylvania	1	14	3	13	..	..	..	..	..	..	..	..	..
7	New Jersey	7	..	7	..	..	..	..	..	..	..	..	..	..
13	New York	12	..	12	..	..	..	..	..	..	..	..	..	..
9	Connecticut	9	..	4	..	..	..	5	..	..	..	..	..	..
4	Rhode Island	4	..	..	..	..	4	..	..	..	..	..	..	..
16	Massachusetts	16	..	13	..	..	1	..	..	2	..	..	..	..
4	Vermont	4	..	4	..	..	..	..	..	..	..	..	..	..
6	New Hampshire	6	..	..	..	..	6	..	..	..	..	..	..	..
139, whole number; ^a necessary to elect, 70.		71	68	59	30	15	11	5	7	2	3	2	1	2

JOHN ADAMS, Massachusetts.
THOMAS JEFFERSON, Virginia.
March 4, 1797, to March 3, 1801.

SECRETARY OF STATE.

TIMOTHY PICKERING, of Pennsylvania, continued from last administration; resignation requested May 10, 1800; he declined to resign, and was dismissed May 12, 1800.

CHARLES LEE, of Virginia (Attorney General), *ad interim* May 13, 1800 to June 6, 1800.

JOHN MARSHALL, of Virginia, nominated May 12, 1800; confirmed and commissioned May 13, 1800; entered upon duties June 6, 1800; commissioned Chief Justice of the United States January 31, 1801; accepted February 4, 1801.

SAMUEL DEXTER, of Massachusetts (Secretary of War), was "authorized and requested" by the President on January 31, 1801, "to execute the office of Secretary of State so far as to affix the seal of the United States to the enclosed commission to the present Secretary of State, John Marshall, of Virginia, to be Chief Justice of the United States, and to certify in your own name on the commission as executing the office of Secretary of State *pro hac vice*."

JOHN MARSHALL, of Virginia (Chief Justice of the United States), *ad interim* February 4, 1801, to March 3, 1801.

SECRETARY OF THE TREASURY.

OLIVER WOLCOTT, JR., of Connecticut, continued from last administration; resigned November 8, 1800, to take effect December 31, 1800.

SAMUEL DEXTER, of Massachusetts, nominated December 24, 1800; confirmed December 31, 1800; commissioned January 1, 1801; entered upon duties same day; served through remainder of the administration.

SECRETARY OF WAR.

JAMES MCHENRY, of Maryland, continued from last administration; resigned May 6, 1800, to take effect June 1, 1800; served to May 31, 1800.

JOHN MARSHALL, of Virginia, nominated May 7, 1800; declined, and was nominated as Secretary of State May 12, 1800.

BENJAMIN STODDERT, of Maryland (Secretary of the Navy), *ad interim* June 1, 1800 to June 12, 1800.

SAMUEL DEXTER, of Massachusetts, nominated May 12, 1800; confirmed and commissioned May 13, 1800; entered upon duties June 12, 1800; commissioned Secretary of the Treasury, January 1, 1801.

LUCIUS H. STOCKTON, of New Jersey, nominated January 14, 1801; nomination withdrawn at request of Stockton January 29, 1801.

SAMUEL DEXTER, of Massachusetts (Secretary of the Treasury), *ad interim* January 1, 1801, to close of the administration.

ROGER GRISWOLD, of Connecticut, nominated January 29, 1801; confirmed and commissioned February 3, 1801; declined.

ATTORNEY GENERAL.

CHARLES LEE, of Virginia, continued from last administration; served to March 3, 1801; commissioned Chief Judge of the 4th Circuit February 20, 1801.

THEOPHILUS PARSONS, of Massachusetts, nominated February 18, 1801; confirmed February 20, 1801; was not commissioned, having declined.

POSTMASTER GENERAL.

JOSEPH HABERSHAM, of Georgia, continued from last administration; served through this administration.

SECRETARY OF THE NAVY.*

GEORGE CABOT, of Massachusetts, nominated May 1, 1798; confirmed and commissioned May 3, 1798; declined May 11, 1798.

* The Navy Department was established by act of April 30, 1798.

BENJAMIN STODDERT, of Maryland, nominated May 18, 1798; confirmed and commissioned May 21, 1798; entered upon duties June 18, 1798; served through remainder of the administration.

[United States Statutes at Large, Vol. 1, p. 553.]

Chap. XXXV.—*An Act to establish an Executive department, to be denominated the Department of the Navy.* April 30, 1798.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be an executive department under the denomination of the Department of the Navy, the chief officer of which shall be called the Secretary of the Navy, whose duty it shall be to execute such orders as he shall receive from the President of the United States, relative to the procurement of naval stores and materials and the construction, armament, equipment and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States.

Department of the Navy.

Secretary of the Navy—his duty.

Sec. 2. *And be it further enacted,* That a principal clerk and such other clerks as he shall think necessary, shall be appointed by the Secretary of the Navy, who shall be employed in such manner as he shall deem most expedient. In case of vacancy in the office of the secretary, by removal or otherwise, it shall be the duty of the principal clerk to take the charge and custody of all the books, records and documents of the said office.

He may appoint clerks.

Sec. 3. *And be it further enacted,* That the Secretary of the Navy be and he is hereby authorized and empowered, immediately after he shall be appointed and shall enter upon the duties of his office, to take possession of all the records, books and documents and all other matters and things appertaining to this department, which are now deposited in the office of the Secretary at War.

He may take possession of the books, &c. in the War Office, which relate to his department.

Sec. 4. *And be it further enacted,* That there shall be allowed to the Secretary of the Navy an annual salary of three thousand dollars, payable quarter yearly at the treasury of the United States, and the respective clerks in the office of the said department shall receive the same compen-

Salary of the Secretary and his clerks.

sations and be subject to the same regulations, as are provided by an act, supplemental to the act, establishing the treasury department, and for a further compensation to certain officers, in the offices of the other executive departments.

Part of the act
establishing the War
Department
repealed.
1799, ch. 7.

Sec. 5. *And be it further enacted*, That so much of an act, entitled "An act to establish an executive department, to be denominated the department of war," as vests any of the powers contemplated by the provisions of this act, in the Secretary for the department of War, shall be repealed, from and after the period when the Secretary of the Navy shall enter on the duties of his office.

Approved, April 30, 1798.

[United States Statutes at Large, Vol. 1, p. 733.]

March 2, 1799. Chap. XLIII.—*An Act to establish the Post-Office of the United States.*

Repealed April 30,
1810, ch. 87.
Act of March 3, 1825,
ch. 65.

General post-office to
be established.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be established at the seat of government of the United States, a General Post-office, under the direction of a Postmaster General.

* * * * *

In case of vacancy
his duties to devolve
on his assistant.

Provided, That in case of the death, resignation, or removal from office of the Postmaster General, all his duties shall be performed by his assistant, until a successor shall be appointed and arrive at the general post-office to perform the business.

* * * * *

Sec. 31. *And be it further enacted*,

* * * * *

Provided also, That the Postmaster General, deputy postmasters, contractors for carrying the mail, and others employed under the aforesaid acts, shall continue to hold their several offices, appointments and trusts, until they are otherwise removed; any thing herein contained that might be construed to the contrary notwithstanding;

* * * * *

Approved, March 2, 1799.

**THE ADMINISTRATION
OF
THOMAS JEFFERSON**

FIRST TERM

March 4, 1801, to March 3, 1805.

62 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE FOURTH TERM, COMMENCING 4TH MARCH, 1801,
AND TERMINATING 3RD MARCH, 1805.

Number of Electoral Votes.	STATES.	Thos. Jefferson, of Virginia.	Aaron Burr, of New York.	John Adams, of Massachusetts.	C. C. Pinckney, of S. Carolina.	John Jay, of New York.
6	New Hampshire .....	..	..	6	6	..
16	Massachusetts.....	..	..	16	16	..
4	Rhode Island.....	..	..	4	3	1
9	Connecticut.....	..	..	9	9	..
4	Vermont.....	..	..	4	4	..
12	New York	12	12	..	..	..
7	New Jersey .....	..	..	7	7	..
15	Pennsylvania.....	8	8	7	7	..
3	Delaware .....	..	..	3	3	..
	Maryland	5	5	5	5	..
21	Virginia.....	21	21	..	..	..
4	Kentucky.....	4	4	..	..	..
12	North Carolina.....	8	8	4	4	..
3	Tennessee	3	3	..	..	..
8	South Carolina	8	8	..	..	..
4	Georgia.....	4	4	..	..	..
138, whole number; necessary to elect, 70.		73	73	65	64	1

ELECTION OF THE PRESIDENT IN THE HOUSE
OF REPRESENTATIVES.

Jefferson and Burr having an equal number of electoral votes, and consequently there being no choice, the House of Representatives proceeded on February 11, 1801, to choose a President in the manner prescribed by the Constitution. The first ballot resulted in the votes of eight states for Jefferson, six states for Burr, and the votes of two states divided. The balloting continued until February 17, when thirty-five ballots had been taken without any change in the vote. On the thirty-sixth ballot one Federalist from Ver-

mont withdrew, leaving a Republican to vote for that state; four Federalists from Maryland put in blanks, leaving the four Republicans to vote for that state; and the votes of South Carolina and Delaware were cast in blank. The result was the votes of New York, New Jersey, Pennsylvania, Virginia, North Carolina, Georgia, Tennessee, Kentucky, Vermont, and Maryland (ten states) were cast for Thomas Jefferson, of Virginia; the votes of New Hampshire, Massachusetts, Connecticut, and Rhode Island (four states) for Aaron Burr, of New York; and South Carolina and Delaware (two states) blank. The Speaker then announced that Thomas Jefferson, of Virginia, had been elected President of the United States for the term of four years commencing on the 4th of March, 1801.

THOMAS JEFFERSON, Virginia.

AARON BURR, New York.

March 4, 1801, to March 3, 1805.

SECRETARY OF STATE.

JOHN MARSHALL*, of Virginia (Chief Justice of the United States), *ad interim* March 4, 1801.

LEVI LINCOLN, of Massachusetts (Attorney General), *ad interim* March 5, 1801, to May 1, 1801.

JAMES MADISON, of Virginia, nominated, confirmed and commissioned March 5, 1801; entered upon duties May 2, 1801; served through remainder of the administration.

SECRETARY OF THE TREASURY.

SAMUEL DEXTER, of Massachusetts, continued from last administration; resigned March 30, 1801, to take effect April 20, 1801; served to May 6, 1801.

ALBERT GALLATIN, of Pennsylvania, commissioned (recess of the Senate) May 14, 1801; entered upon duties same day; nominated January 6, 1802; confirmed and re-commissioned January 26, 1802; served through remainder of the administration.

SECRETARY OF WAR.

HENRY DEARBORN, of Massachusetts, nominated, confirmed and commissioned March 5, 1801; entered upon duties same day; served through remainder of the administration.

* For the special purpose of countersigning some sea letters for use after March 4, 1801. (Jefferson to Marshall, March 2, 1801, Jefferson's Works, Vol. IV., p. 364.)

ATTORNEY GENERAL

LEVI LINCOLN, of Massachusetts, nominated, confirmed and commissioned March 5, 1801; entered upon duties same day; resigned December 26, 1804, to take effect December 31, 1804, to which date he served.

ROBERT SMITH, of Maryland, nominated and confirmed March 2, 1805; commissioned March 3, 1805. Did not take office as Attorney General, but continued as Secretary of the Navy.

POSTMASTER GENERAL

JOSEPH HABERSHAM, of Georgia, continued from last administration; resigned and served to November 2, 1801.

GIDEON GRANGER, of Connecticut, commissioned (recess of the Senate) November 28, 1801; entered upon duties same day; nominated January 6, 1802; confirmed and recommissioned January 26, 1802; served through remainder of the administration.

SECRETARY OF THE NAVY.

BENJAMIN STODDERT, of Maryland, continued from last administration; resigned February 18, 1801, to take effect in March; served to March 31, 1801.

HENRY DEARBORN, of Massachusetts (Secretary of War), *ad interim* April 1, 1801, to July 17, 1801.

GENERAL SAMUEL SMITH, a member of the House of Representatives from Maryland, was in reality in charge of Naval Affairs from March 31 to June 13, 1801, while General Dearborn was nominally Secretary of the Navy *ad interim*.

ROBERT SMITH, of Maryland, commissioned (recess of the Senate) July 15, 1801; entered upon duties July 27, 1801; nominated January 6, 1802; confirmed and recommissioned January 26, 1802; nominated and confirmed as Attorney General March 2, 1805; commissioned March 3, 1805; did not take office as Attorney General, but continued as Secretary of the Navy through the remainder of the administration.

JACOB CROWNINSHIELD, of Massachusetts, nominated and confirmed March 2, 1805; commissioned March 3, 1805; declined, and Robert Smith continued as Secretary of the Navy.

[United States Statutes at Large, Vol. II, p. 295.]

March 26, 1804. Chap. L.—*An Act supplementary to the act intituled "An Twelfth amendment act relative to the election of a President and Vice President to the constitution of the U. States. 22. of the United States, and declaring the officer who shall act as President, in case of vacancies in the offices both of President and Vice President."*

Act of March 1, 1792, ch. 8, vol. i, 239. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the amendment proposed during the present session of Congress, to the constitution of the United States, respecting the manner of voting for President and Vice-President of the United States, shall have been ratified by the legislatures of three fourths of the several states, the Secretary of State shall forthwith cause a notification thereof to be made to the executive of every state, and shall also cause the same to be published, in at least one of the newspapers printed in each state, in which the laws of the United States are annually published.* The executive authority of each state shall cause a transcript of the said notification to be delivered to the electors appointed for that purpose, who shall first thereafter meet in such state, for the election of a President and Vice President of the United States: and whenever the said electors shall have received the said transcript of notification, or whenever they shall meet more than five days subsequent to the publication of the ratification of the above-mentioned amendment, in one of the newspapers of the state, by the Secretary of State, they shall vote for President and Vice President of the United States, respectively, in the manner directed by the above-mentioned amendment, and having made and signed three certi-*

The secretary of state to notify the executives of the proposed amendment when ratified and to have it published.

Transcripts of the notification to be delivered to the electors; who are to give their votes conformably with the amendment.

* The amendment was proposed in October, 1803, and was ratified before September, 1804.

ificates of all the votes given by them, each of which certificate shall contain two distinct lists, one, of the votes given for President, and the other, of the votes given for Vice President: they shall seal up the said certificates, certifying on each, that lists of all the votes of such state given for President, and of all the votes given for Vice President, is contained therein, and shall cause the said certificates to be transmitted and disposed of, and in every other respect act in conformity with the provisions of the act to which this is a supplement. And every other provision of the act to which this is a supplement, and which is not virtually repealed by this act, shall extend and apply to every election of a President and Vice President of the United States, made in conformity to the above-mentioned amendment to the constitution of the United States.

How certificates of their votes are to be made, and forwarded.

Provisions of a former not inconsistent with this act extended to all future elections.

Act of March 1, 1792, ch. 8, vol. I, 229.

And whereas, the above-mentioned amendment may be ratified by the legislatures of three fourths of the states, and thereupon become immediately valid, to all intents and purposes, as part of the constitution, on a day so near the day fixed by law for the meeting of the electors in the several states, that the electors shall not in every state be apprised of the said ratification, and may vote in a manner no longer conformable with the constitution, as amended, whereby several states might be deprived of their vote in the election of a President and Vice President: for remedy whereof,

Sec. 2. *Be it further enacted*, That the electors who shall be appointed in each state for the election of a President and Vice President of the United States, shall at every such election, unless they shall have received a transcript of the notification of the ratification of the above-mentioned amendment to the constitution, or unless they shall meet more than five days subsequent to the publication of the said ratification by the Secretary of State, in one of the newspapers of the state, vote for President and Vice President of the United States, in the following manner, that is to say: they shall vote for two persons as President and Vice President, in conformity with the first section of the second article of the constitution. And in other respects act in con-

Electors to vote by distinct ballots for President and Vice President, according to the 1st sec. of the 2d art. of the constitution, and according to the proposed amendment: if they be uninformed at the time of the the fate of the amendment:—

And to make returns accordingly. conformity with the provisions of the act to which this act is a supplement; and they shall likewise vote for one person as President, and for one person as Vice President, in conformity with the above-mentioned amendment of the constitution; and in other respects act in conformity with the provisions of the first section of this act. But those certificates only, of votes given for President and Vice President of the United States, shall be opened by the president of the Senate, for the purpose of being counted, which shall contain the list or lists of votes given in conformity with the constitution, as in force on the day fixed by law for the meeting of the electors, by whom the said votes shall have been given.

Which of these are to be opened and inspected.

In case of a vote under the constitution of the U. States, as it now stands, and one according to the amendment proposed, lists of the electors to be given to the electors, and one of these lists forwarded.

Sec. 3. *And be it further enacted*, That whenever, by the provisions of the second section of this act, it shall be the duty of the electors for any state, to vote in conformity, both with the constitution, and of the proposed amendment thereto, the executive authority of such state shall cause six lists of the names of the electors for the state, to be made and certified, and to be delivered to the said electors, on or before the day fixed by law for them to meet and and vote for President and Vice President; and the said electors shall enclose one of the said lists in each of the certificates by them made and sealed, in conformity with the provisions of this act, and of the act to which this is a supplement.

Approved, March 26, 1804.

ARTICLE XII. OF THE AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of

votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

NOTE.—The Twelfth Amendment was declared in a proclamation of the Secretary of State, dated September 25, 1804, to have been ratified by the legislatures of three-fourths of the States.

**THE ADMINISTRATION
OF
THOMAS JEFFERSON**

SECOND TERM

March 4, 1805, to March 3, 1809

**ELECTION FOR THE FIFTH TERM, COMMENCING 4TH MARCH, 1805,
AND TERMINATING 3RD MARCH, 1809.**

Number of Electoral Votes.	STATES.	President.		Vice-Pres't.	
		Thos. Jefferson, of Virginia.	Chas. Cotesworth Pinckney, of S. Carolina.	George Clinton, of New York.	Rufus King, of New York.
7	New Hampshire.....	7	..	7	..
19	Massachusetts	19	..	19	..
4	Rhode Island	4	..	4	..
9	Connecticut .....	..	9	..	9
6	Vermont	6	..	6	..
19	New York.....	19	..	19	..
8	New Jersey.....	8	..	8	..
20	Pennsylvania	20	..	20	..
3	Delaware.....	..	3	..	3
11	Maryland.....	9	2	9	2
24	Virginia.....	24	..	24	..
14	North Carolina	14	..	14	..
10	South Carolina.....	10	..	10	..
6	Georgia	6	..	6	..
5	Tennessee	5	..	5	..
8	Kentucky	8	..	8	..
3	Ohio	3	..	3	..
176, whole number; necessary to elect, 89.		162	14	162	14

THOMAS JEFFERSON, Virginia.
GEORGE CLINTON, New York.
March 4, 1805, to March 3, 1809.

SECRETARY OF STATE.

JAMES MADISON, of Virginia, continued from last administration, served to March 3, 1809; inaugurated President March 4, 1809.

SECRETARY OF THE TREASURY.

ALBERT GALLATIN, of Pennsylvania, continued from last administration; served through this administration.

SECRETARY OF WAR.

HENRY DEARBORN, of Massachusetts, continued from last administration; resigned and served to February 16, 1809.

JOHN SMITH (Chief Clerk), *ad interim* February 17, 1809, to close of the administration.

ATTORNEY GENERAL.

JOHN BRECKENRIDGE, of Kentucky, commissioned (recess of the Senate), August 7, 1805; entered upon duties same day; nominated December 20, 1805; confirmed and re-commissioned December 23, 1805; died December 14, 1806.

CAESAR A. RODNEY, of Pennsylvania, nominated January 15, 1807; confirmed and commissioned January 20, 1807; served through remainder of the administration.

POSTMASTER GENERAL.

GIDEON GRANGER, of Connecticut, continued from last administration; served through this administration.

SECRETARY OF THE NAVY.

ROBERT SMITH, of Maryland, continued from last administration; served through this administration.

**THE ADMINISTRATION
OF
JAMES MADISON**

FIRST TERM

March 4, 1809, to March 3, 1813

ELBCTION FOR THE SIXTH TERM, COMMENCING 4TH MARCH, 1808,
AND TERMINATING 3rd MARCH, 1812.

Number of Electoral Votes.	STATES.	President.			Vice President.			
		James Madison, of Virginia.	George Clinton, of New York.	C. C. Pinckney, of S. Carolina.	George Clinton, of New York.	James Madison, of Virginia.	James Monroe, of Virginia.	John Langdon, of New Hampshire. Rufus King, of New York.
7	New Hampshire .....	..	..	7	..	..	..	7
19	Massachusetts .....	..	..	19	..	..	..	19
4	Rhode Island .....	..	..	4	..	..	..	4
9	Connecticut .....	..	..	9	..	..	..	9
6	Vermont	6	..	..	..	..	..	6
19	New York	13	6	..	13	3	3	..
8	New Jersey	8	..	..	8	..	..	..
20	Pennsylvania	20	..	..	20	..	..	..
3	Delaware .....	..	..	3	..	..	..	3
11	Maryland	9	..	2	9	..	..	2
24	Virginia	24	..	..	24	..	..	..
14	North Carolina	11	..	3	11	..	..	3
10	South Carolina	10	..	..	10	..	..	..
6	Georgia	6	..	..	6	..	..	..
7	Kentucky	7	..	..	7	..	..	..
5	Tennessee	5	..	..	5	..	..	..
3	Ohio	3	..	..	..	..	3	..
175, whole number; necessary to elect, 88.		122	6	47	113	3	3	47

JAMES MADISON, Virginia.

GEORGE CLINTON, New York (Died April 20, 1812).

WILLIAM H. CRAWFORD, Georgia (President *pro tempore* of the Senate).

March 4, 1809, to March 3, 1813.

SECRETARY OF STATE.

ROBERT SMITH, of Maryland, nominated, confirmed and commissioned March 6, 1809; entered upon duties same day; served to March 31, 1811; resigned April 1, 1811.

JAMES MONROE, of Virginia, commissioned (recess of the Senate) April 2, 1811; entered upon duties April 6, 1811; nominated November 13, 1811; confirmed November 25, 1811; re-commissioned November 26, 1811; served through remainder of the administration.

SECRETARY OF THE TREASURY.

ALBERT GALLATIN, of Pennsylvania, continued from last administration; served through this administration.

SECRETARY OF WAR.

JOHN SMITH (Chief Clerk), *ad interim* from last administration to April 7, 1809.

WILLIAM EUSTIS, of Massachusetts, nominated March 6, 1809; confirmed and commissioned March 7, 1809; entered upon duties April 8, 1809; resigned December 3, 1812; served to December 31, 1812.

JAMES MONROE, of Virginia (Secretary of State), *ad interim* January, 1, 1813, to February 4, 1813.

JOHN ARMSTRONG, of New York, nominated January 8, 1813; confirmed and commissioned January 13, 1813; entered upon duties February 5, 1813; served through remainder of the administration.

ATTORNEY GENERAL.

CAESAR A. RODNEY, of Pennsylvania, continued from last administration; served to December 5, 1811, when he resigned.

WILLIAM PINKNEY, of Maryland, nominated December 10, 1811; confirmed and commissioned December 11, 1811; entered upon duties January 6, 1812; served through remainder of the administration.

POSTMASTER GENERAL.

GIDEON GRANGER, of Connecticut, continued from last administration; served through this administration.

SECRETARY OF THE NAVY.

ROBERT SMITH, of Maryland, continued from last administration; served to March 7, 1809; commissioned Secretary of State March 6, 1809.

CHARLES W. GOLDSBOROUGH (Chief Clerk), *ad interim*, March 8, 1809, to May 14, 1809.

PAUL HAMILTON, of South Carolina, nominated, confirmed and commissioned March 7, 1809; entered upon duties May 15, 1809; resigned December 30, 1812; served to December 31, 1812.

CHARLES W. GOLDSBOROUGH (Chief Clerk), *ad interim* January 7, 1813 to January 18, 1813.

WILLIAM JONES, of Pennsylvania, nominated January 8, 1813; confirmed and commissioned January 12, 1813; entered upon duties January 19, 1813; served through remainder of the administration.

[United States Statutes at Large, Vol. 2, p. 592.]

April 30, 1810. Chap. XXXVII.—*An Act regulating the Post-office Establishment.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be established, at the seat of government of the United

Repealed by act of
March 3, 1825, ch. 64.

States, a general post-office, under the direction of a Postmaster-General. The Postmaster-General shall appoint two assistants, and such clerks as may be necessary, for performing the business of his office.

General post-office established at the seat of government. Duties of the Postmaster-General.

* * * * *

Provided, that in case of the death, resignation or removal from office of the Postmaster-General, all his duties shall be performed by his senior assistant, until a successor shall be appointed and arrive at the general post-office to perform the business.

* * * * *

Sec. 42. *And be it further enacted*,
* * * * *

Provided likewise, that the Postmaster-General, assistant Postmaster-General, deputy postmasters, contractors for carrying the mail, and others employed under the aforesaid acts, shall continue to hold their several offices, appointments and trusts, until they are otherwise removed; any thing herein contained that might be construed to the contrary notwithstanding;

Officers of the post office department to hold their offices until otherwise removed.

* * * * *

Approved, April 30, 1810.

**THE ADMINISTRATION
OF
JAMES MADISON**

SECOND TERM

March 4, 1813, to March 3, 1817

**ELECTION FOR THE SEVENTH TERM, COMMENCING 4TH MARCH,
1813, AND TERMINATING 8RD MARCH, 1817.**

Number of Electoral Votes.	STATES.	President.		V. President.	
		James Madison, of Virginia.	De Witt Clinton, of New York.	Elbridge Gerry, of Massachusetts.	Jared Ingersoll, of Pennsylvania.
8	New Hampshire .....	..	8	1	7
22	Massachusetts .....	..	22	2	20
4	Rhode Island .....	..	4	..	4
9	Connecticut .....	..	9	..	9
8	Vermont	8	..	8	..
29	New York .....	..	29	..	29
8	New Jersey .....	..	8	..	8
25	Pennsylvania	25	..	25	..
4	Delaware .....	..	4	..	4
11	Maryland	6	5	6	5
25	Virginia	25	..	25	..
15	North Carolina	15	..	15	..
11	South Carolina	11	..	11	..
8	Georgia	8	..	8	..
12	Kentucky	12	..	12	..
8	Tennessee	8	..	8	..
7	Ohio	7	..	7	..
3	Louisiana	3	..	3	..
217, whole number; necessary to elect, 109.		128	89	131	86

JAMES MADISON, Virginia.

ELBRIDGE GERRY, Massachusetts (Died November 23, 1814).

JOHN GAILLARD, South Carolina (President *pro tempore* of the Senate).

March 4, 1813, to March 3, 1817.

SECRETARY OF STATE.

JAMES MONROE, of Virginia, continued from last administration; served to September 30, 1814; confirmed as Secretary of War September 27, 1814.

JAMES MONROE, of Virginia (Secretary of War), *ad interim* October 1, 1814, to February 28, 1815.

JAMES MONROE, of Virginia, nominated February 27, 1815; confirmed and commissioned February 28, 1815; served to March 3, 1817; inaugurated President March 4, 1817.

SECRETARY OF THE TREASURY.

ALBERT GALLATIN, of Pennsylvania, continued from last administration; while holding this office, he was commissioned Envoy Extraordinary and Minister Plenipotentiary on April 17, 1813, with John Quincy Adams and James A. Bayard, to negotiate a peace with Great Britain. He left Washington April 21, 1813, and his nomination as such was rejected by the Senate July 19, 1813. On February 9, 1814, his seat as Secretary of the Treasury was declared vacant because of his absence in Europe, and on the same day he was reappointed Envoy Extraordinary and Minister Plenipotentiary to Great Britain.

WILLIAM JONES, of Pennsylvania (Secretary of the Navy), *ad interim* April 21, 1813, to February 9, 1814.

GEORGE W. CAMPBELL, of Tennessee, nominated February 8, 1814; confirmed and commissioned February 9, 1814;

entered upon duties same day; served to September 26, 1814, on which day he resigned.

ALEXANDER J. DALLAS, of Pennsylvania, nominated October 5, 1814; confirmed and commissioned October 6, 1814; entered upon duties October 14, 1814; resigned April 8, 1816; to take effect October 1, 1816; served to October 21, 1816.

WILLIAM H. CRAWFORD, of Georgia, commissioned (recess of the Senate), October 22, 1816; entered upon duties same day; served through remainder of the administration.

SECRETARY OF WAR.

JOHN ARMSTRONG, of New York, continued from last administration; resigned August 29, 1814; not accepted, served to August 30, 1814.

JAMES MONROE, of Virginia (Secretary of State), *ad interim* August 30, 1814, to September 30, 1814.

JAMES MONROE, of Virginia, nominated September 26, 1814; confirmed September 27, 1814; qualified October 1, 1814; served to February 28, 1815, when he was commissioned Secretary of State.

JAMES MONROE, of Virginia (Secretary of State), *ad interim* March 1, 1815 to March 14, 1815.

HENRY DEARBORN, of Massachusetts (Major General of the Army), nominated March 1, 1815; nomination withdrawn March 2, 1815.

ALEXANDER J. DALLAS, of Pennsylvania (Secretary of the Treasury) *ad interim* March 14, 1815, to August 8, 1815.

WILLIAM H. CRAWFORD, of Georgia, nominated March 2, 1815; confirmed March 3, 1815; commissioned August 1, 1815; entered upon duties August 8, 1815; served to October 21, 1816; commissioned Secretary of the Treasury October 22, 1816.

GEORGE GRAHAM (Chief Clerk), *ad interim* October 22, 1816, to close of the administration.

ATTORNEY GENERAL.

WILLIAM PINKNEY, of Maryland, continued from last administration; resigned January 25, 1814; served to February 10, 1814.

RICHARD RUSH, of Pennsylvania, nominated February 8, 1814; confirmed and commissioned February 10, 1814; entered upon duties February 11, 1814; served through remainder of the administration.

POSTMASTER GENERAL.

GIDEON GRANGER, of Connecticut, continued from last administration; served to February 25, 1814.

RETURN J. MEIGS, JR., of Ohio, nominated February 25, 1814; confirmed and commissioned March 17, 1814; entered upon duties April 11, 1814; served through remainder of the administration.

SECRETARY OF THE NAVY.

WILLIAM JONES, of Pennsylvania, continued from last administration; resigned September 11, 1814, to take effect December 1, 1814; served to December 1, 1814.

BENJAMIN HOMANS (Chief Clerk), *ad interim* December 2, 1814, to January 15, 1815.

BENJAMIN W. CROWNINSHIELD, of Massachusetts, nominated December 15, 1814; confirmed and commissioned December 19, 1814; entered upon duties January 16, 1815; served through remainder of the administration.

**THE ADMINISTRATION
OF
JAMES MONROE**

FIRST TERM

March 4, 1817, to March 3, 1821

**ELECTION FOR THE EIGHTH TERM, COMMENCING 4TH MARCH, 1817,
AND TERMINATING 3RD MARCH, 1821.**

Number of Electoral Votes.	STATES.	President		Vice President.			
		James Monroe, of Virginia.	Rufus King, of New York.	Daniel D. Tompkins, of New York.	John E. Howard, of Maryland.	James Ross, of Pennsylvania.	John Marshall, of Virginia.
8	New Hampshire	8	..	8	..	..	..
22	Massachusetts .....	..	22	..	22	..	..
4	Rhode Island	4	..	4	..	..	..
9	Connecticut .....	..	9	..	..	5	4
8	Vermont	8	..	8	..	..	..
29	New York	29	..	29	..	..	..
8	New Jersey	8	..	8	..	..	..
25	Pennsylvania	25	..	25	..	..	..
3	Delaware .....	..	3	..	..	..	3
8	Maryland	8	..	8	..	..	..
25	Virginia	25	..	25	..	..	..
15	North Carolina	15	..	15	..	..	..
11	South Carolina	11	..	11	..	..	..
8	Georgia	8	..	8	..	..	..
12	Kentucky	12	..	12	..	..	..
8	Tennessee	8	..	8	..	..	..
8	Ohio	8	..	8	..	..	..
3	Louisiana	3	..	3	..	..	..
3	Indiana	3	..	3	..	..	..
217, whole number; necessary to elect, 109.		183	34	183	22	5	4

JAMES MONROE, Virginia.

DANIEL D. TOMPKINS, New York.

March 4, 1817, to March 3, 1821.

SECRETARY OF STATE.

JOHN GRAHAM (Chief Clerk), *ad interim* March 4, 1817, to March 10, 1817.

RICHARD RUSH, of Pennsylvania (Attorney General), *ad interim* March 10, 1817, to September 22, 1817.

JOHN QUINCY ADAMS, of Massachusetts, nominated, confirmed and commissioned March 5, 1817; entered upon duties September 22, 1817; served through remainder of the administration.

SECRETARY OF THE TREASURY.

WILLIAM H. CRAWFORD, of Georgia, continued from last administration; nominated, confirmed and recommissioned March 5, 1817; served through remainder of the administration.

SECRETARY OF WAR.

GEORGE GRAHAM (Chief Clerk), *ad interim* from last administration to December 9, 1817.

ISAAC SHELBY, of Kentucky, nominated, confirmed and commissioned March 5, 1817; declined.

JOHN C. CALHOUN, of South Carolina, commissioned (recess of the Senate), October 8, 1817; entered upon duties December 10, 1817; nominated December 12, 1817; confirmed December 15, 1817; recommissioned December 16, 1817; served through remainder of the administration.

ATTORNEY GENERAL.

RICHARD RUSH, of Pennsylvania, continued from last administration; served to October 30, 1817; appointed Envoy Extraordinary and Minister Plenipotentiary to England.

WILLIAM WIRT, of Virginia, commissioned (recess of the Senate), November 13, 1817; entered upon duties November 15, 1817; nominated December 12, 1817; confirmed December 15, 1817; recommissioned December 16, 1817; served through remainder of the administration.

POSTMASTER GENERAL.

RETURN J. MEIGS, JR., of Ohio, continued from last administration; served through this administration.

SECRETARY OF THE NAVY.

BENJAMIN W. CROWNINSHIELD, of Massachusetts, continued from last administration; resigned, and served to September 30, 1818.

JOHN C. CALHOUN, of South Carolina (Secretary of War), *ad interim* October 19, 1818, to December 31, 1818.

SMITH THOMPSON, of New York, commissioned (recess of the Senate), November 9, 1818; nominated November 27, 1818; confirmed and recommissioned November 30, 1818; entered upon duties January 1, 1819; served through remainder of the administration.

**THE ADMINISTRATION
OF
JAMES MONROE**

SECOND TERM

March 5, 1821, to March 3, 1825

ELECTION FOR THE NINTH TERM, COMMENCING 4TH MARCH, 1801,
AND TERMINATING 3RD MARCH, 1805.

Number of Electoral Votes.	STATES.	President		Vice President.			
		James Monroe, of Virginia.	John Q. Adams, of Massachusetts.	Daniel D. Tompkins, of New York.	Richard Stockton, of New Jersey.	Robert G. Harper, of Maryland.	Richard Rush, of Pennsylvania.
8	New Hampshire	7	1	7	..	..	1
15	Massachusetts	15	..	7	8	..	..
4	Rhode Island	4	..	4	..	..	..
9	Connecticut	9	..	9	..	..	..
8	Vermont	8	..	8	..	..	..
29	New York	29	..	29	..	..	..
8	New Jersey	8	..	8	..	..	..
25	Pennsylvania	24	..	24	..	..	..
4	Delaware	4	..	..	..	..	4
11	Maryland	11	..	10	..	1	..
25	Virginia	25	..	25	..	..	..
15	North Carolina	15	..	15	..	..	..
11	South Carolina	11	..	11	..	..	..
8	Georgia	8	..	8	..	..	..
12	Kentucky	12	..	12	..	..	..
8	Tennessee	7	..	7	..	..	..
8	Ohio	8	..	8	..	..	..
3	Louisiana	3	..	3	..	..	..
3	Indiana	3	..	3	..	..	..
3	Mississippi	2	..	2	..	..	..
3	Illinois	3	..	3	..	..	..
3	Alabama	3	..	3	..	..	..
9	Maine	9	..	9	..	..	..
3	Missouri	3	..	3	..	..	..
235, whole number; necessary to elect, 118.		231	1	218	8	1	1
							4

[Counting of the electoral votes, February, 1821.]

The House of Representatives having rejected the Resolution of the Senate declaring the admission of the State of Missouri into the Union, and objection being made to the counting of the votes of that State, the President of the Senate, on February 14, 1821, and in pursuance of a resolution adopted by the two Houses, announced the state of the vote as follows:

“Were the votes of Missouri to be counted, the result would be: For James Monroe, of Virginia, for President of the United States, two hundred and thirty-one votes. If not counted, for James Monroe, of Virginia, two hundred and twenty-eight votes. For Daniel D. Tompkins, of New York, for Vice President of the United States, two hundred and eighteen votes: if not counted, for Daniel D. Tompkins, of New York, for Vice President of the United States, two hundred and fifteen votes. But, in either event, James Monroe, of Virginia, has a majority of the votes of the whole number of electors for President, and Daniel D. Tompkins, of New York, has a majority of the votes, of the whole number of electors, for Vice President of the United States.”

“I therefore declare, that James Monroe, of Virginia, is duly elected President of the United States, for four years, to commence on the fourth day of March, 1821; and that Daniel D. Tompkins, of New York, is duly elected Vice President of the United States, for the like term of four years, to commence on the said fourth day of March, 1821.”

[Miscellaneous Letters to Department of State.]

Washington Feb. 20th 1821.

Sir

I have conversed with my bretheren on the subject you suggested when I had the pleasure of seeing you, & will take the liberty to communicate the result.

As the constitution only provides that the President shall take the oath it prescribes “before he enter on the execution of his office,” and as the law is silent on the sub-

ject, the time seems to be in some measure at the discretion of that high officer. There is an obvious propriety in taking the oath as soon as it can conveniently be taken, & thereby shortening the interval in which the executive power is suspended. But some interval is inevitable. The time of the actual President will expire, and that of the President elect commence, at twelve in the night of the 3d of March. It has been usual to take the oath at mid day on the 4th. Thus there has been uniformly & voluntarily an interval of twelve hours during which the Executive power could not be exercised. This interval may be unavoidably prolonged. Circumstances may prevent the declaration of the person who is chosen until it shall be too late to communicate the intelligence of his election until after the 4th of March. This occurred at the first election.

Undoubtedly, on any pressing emergency the President might take the oath in the first hour of the 4th of March; but it has never been thought necessary so to do, & he has always named such hour as he deemed most convenient. If any circumstance should render it unfit to take the oath on the 4th of March, and the public business would sustain no injury by its being deferred till the 5th, no impropriety is perceived in deferring it till the 5th. Whether the fact that the 4th of March comes this year on sunday be such a circumstance may perhaps depend very much on public opinion and feeling. Of this, from our retired habits, there are few perhaps less capable of forming a correct opinion than ourselves. Might we hazard a conjecture, it would rather be in favor of postponing the oath till Monday unless some official duty should require its being taken on sunday. But others who mix more in society than we do, can give conjectures on this subject much more to be confided in than ours.

With very great respect,

I have the honor to be

Your obedt. sert.

J. MARSHALL

JAMES MONROE, Virginia.

DANIEL D. TOMPKINS, New York.

March 5, 1821, to March 3, 1825.

SECRETARY OF STATE.

JOHN QUINCY ADAMS, of Massachusetts, continued from last administration; served to March 3, 1825; inaugurated President March 4, 1825.

SECRETARY OF THE TREASURY.

WILLIAM H. CRAWFORD, of Georgia, continued from last administration; served to March 3, 1825, on which day he resigned.

SECRETARY OF WAR.

JOHN C. CALHOUN, of South Carolina, continued from last administration; served to March 3, 1825; inaugurated Vice President March 4, 1825.

ATTORNEY GENERAL.

WILLIAM WIRT, of Virginia, continued from last administration; served through this administration.

POSTMASTER GENERAL.

RETURN J. MEIGS, JR., of Ohio, continued from last administration; resigned to take effect July 1, 1823; served to June 30, 1823.

JOHN MCLEAN, of Ohio, commissioned (recess of the Senate) June 26, 1823, to take effect from and after July 1, 1823; entered upon duties July 1, 1823; nominated December 5, 1823; confirmed and recommissioned December 9, 1823; served through remainder of the administration.

SECRETARY OF THE NAVY.

SMITH THOMPSON, of New York, continued from last administration; served to August 31, 1823; commissioned Associate Justice of the Supreme Court of the United States September 1, 1823.

JOHN RODGERS (Commodore, U. S. Navy, and President of the Board of Navy Commissioners) *ad interim* September 1, 1823, to September 15, 1823.

SAMUEL L. SOUTHARD, of New Jersey, commissioned (recess of the Senate), September 16, 1823; entered upon duties same day; nominated December 5, 1823; confirmed and recommissioned December 9, 1823; served through remainder of the administration.

[United States Statutes at Large, Vol. 4, p. 102.]

March 3, 1825. Chap. LXIV.—*An Act to reduce into one the several acts establishing and regulating the Post-office Department.*
 Act of March 2, 1827, ch. 61.
 Act of July 2, 1836, ch. 270, ch. 352, sec. 12.
 Resolution of March 2, 1837.
 Act of Jan. 25, 1839, ch. 4.
 Act of March 3, 1845, ch. 43.
 General post-office and a Postmaster General provided for.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be established, at the seat of the government of the United States, a general post-office, under the direction of a Postmaster General. The Postmaster General shall appoint two assistants.

* * * * *

Proviso. *Provided, That, in case of the death, resignation, or removal from office, of the Postmaster General, all his duties shall be performed by his senior assistant, until a successor shall be appointed, and arrive at the general post-office, to perform the business.*

All persons employed in the post-office, and others attached to it in any way to take an oath before entering upon the duties of their office.

Sec. 2. *And be it further enacted, That the Postmaster General, and all other persons employed in the general post-office, or in the care, custody, or conveyance of the mail, shall, previous to entering upon the duties assigned to them, or (in) the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively take and subscribe the following oath, or affirmation, before*

some magistrate, and cause a certificate thereof to be filed in the general post-office: "I, A. B. do swear or affirm, ^{Oath.} (as the case may be,) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-office and post-roads within the United States."

* * * * *

Sec. 46. *And be it further enacted*, That all acts and parts ^{All acts, &c., passed for the establishment of the post-office, repealed.} of acts which have been passed for the establishment and regulation of the General Post-office, shall be, and the same are hereby, repealed: *Provided*, That the act, entitled "An ^{Act of April 21, 1808, ch. 48.} act concerning public contracts," approved on the twenty-^{Proviso.} first of April, one thousand eight hundred and eight, shall not be affected hereby, but shall remain in full force and virtue: *And provided, also*, That nothing herein contained shall be construed to affect or extend to, any offence committed against the laws, now in force, intended by this act to be repealed; but the same shall be prosecuted, and determined, and punished, according to the said laws, nor to affect any existing contract, or debt, or demand, due to or from the department; but all such offences, crimes, debts, duties, demands, and contracts, shall be held in force, and adjudged, determined, and executed, according to the present laws in force, as though this act had not passed; nor shall it affect any appointments to office made under the laws hereby repealed.

Approved March 3, 1825.

**THE ADMINISTRATION
OF
JOHN QUINCY ADAMS**

March 4, 1825, to March 3, 1829

On February 9, 1825, the two houses assembled in the hall of the House of Representatives and proceeded to the counting of the votes for President and Vice President. It was found that John C. Calhoun had received a majority of the whole number of votes for the Vice Presidency, and was consequently declared to have been elected Vice President of the United States for the term beginning March 4, 1825. No candidate for the Presidency having received a majority, the Senators withdrew and the House of Representatives proceeded to the choice of a President from the three highest. John Quincy Adams, of Massachusetts, received the votes of thirteen States, and was thus duly elected; Andrew Jackson, of Tennessee, received the votes of seven States, and William H. Crawford, of Georgia, the votes of four States. The States whose votes were cast for Adams were Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, Maryland, Ohio, Kentucky, Illinois, Missouri, and Louisiana; those for Andrew Jackson were New Jersey, Pennsylvania, South Carolina, Tennessee, Alabama, Mississippi, and Indiana; those for William H. Crawford were Delaware, Virginia, North Carolina, and Georgia.

JOHN QUINCY ADAMS, Massachusetts.

JOHN C. CALHOUN, South Carolina.

March 4, 1825, to March 3, 1829.

SECRETARY OF STATE.

DANIEL BRENT (Chief Clerk), *ad interim* March 4, 1825, to March 7, 1825.

HENRY CLAY, of Kentucky, nominated March 5, 1825; confirmed and commissioned March 7, 1825; entered upon duties same day; served to March 3, 1829, on which day he resigned.

SECRETARY OF THE TREASURY.

SAMUEL L. SOUTHARD, of New Jersey (Secretary of the Navy), *ad interim* March 7, 1825, to July 31, 1825.

RICHARD RUSH, of Pennsylvania, nominated March 5, 1825; confirmed and commissioned March 7, 1825; entered upon duties August 1, 1825; served to March 3, 1829, on which day he resigned.

SECRETARY OF WAR.

JAMES BARBOUR, of Virginia, nominated March 5, 1825; confirmed and commissioned March 7, 1825; entered upon duties same day; served to May 24, 1828; commissioned Envoy Extraordinary and Minister Plenipotentiary to England May 23, 1828.

SAMUEL L. SOUTHARD, of New Jersey (Secretary of the Navy), *ad interim* May 26, 1828, to June 19, 1828.

PETER B. PORTER, of New York, nominated May 24, 1828; confirmed and commissioned May 26, 1828; entered upon duties June 21, 1828; served to March 3, 1829, on which day he resigned.

ATTORNEY GENERAL.

WILLIAM WIRT, of Virginia, continued from last administration; served to March 3, 1829, on which day he resigned.

POSTMASTER GENERAL.

JOHN McLEAN, of Ohio, continued from last administration; served through this administration.

SECRETARY OF THE NAVY.

SAMUEL L. SOUTHARD, of New Jersey, continued from last administration; served to March 3, 1829, on which day he resigned.

**THE ADMINISTRATION
OF
ANDREW JACKSON**

FIRST TERM

March 4, 1829, to March 3, 1833

106 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE ELEVENTH TERM, COMMENCING 4TH MARCH,
1829, AND TERMINATING 3RD MARCH, 1833.

Number of Electoral Votes.	STATES.	President.		Vice President.		
		Andrew Jackson, of Tennessee.	John Q. Adams, of Massachusetts.	John C. Calhoun, of South Carolina.	Richard Rush, of Pennsylvania.	William Smith, of South Carolina.
9	Maine	1	8	1	8	..
8	New Hampshire .....	..	8	..	8	..
15	Massachusetts .....	..	15	..	15	..
4	Rhode Island .....	..	4	..	4	..
8	Connecticut .....	..	8	..	8	..
7	Vermont .....	..	7	..	7	..
36	New York	20	16	20	16	..
8	New Jersey .....	..	8	..	8	..
28	Pennsylvania	28	..	28	..	..
3	Delaware .....	..	3	..	3	..
11	Maryland	5	6	5	6	..
24	Virginia	24	..	24	..	..
15	North Carolina	15	..	15	..	..
11	South Carolina	11	..	11	..	..
9	Georgia	9	..	2	..	7
14	Kentucky	14	..	14	..	..
11	Tennessee	11	..	11	..	..
16	Ohio	16	..	16	..	..
5	Louisiana	5	..	5	..	..
3	Mississippi	3	..	3	..	..
5	Indiana	5	..	5	..	..
3	Illinois	3	..	3	..	..
5	Alabama	5	..	5	..	..
3	Missouri	3	..	3	..	..
261, whole number; necessary to elect, 131.		178	83	171	83	7
Popular vote		647,231	509,097			
Plurality		138,134				

ANDREW JACKSON, Tennessee.

JOHN C. CALHOUN, South Carolina (Resigned Dec. 28, 1832).

HUGH LAWSON WHITE, Tennessee (President *pro tempore* of the Senate).

March 4, 1829, to March 3, 1833.

SECRETARY OF STATE.

JAMES A. HAMILTON, of New York, appointed by the President March 4, 1829, "to take charge of the Department of State and perform the duties of that office until Mr. Van Buren's arrival in this City." Served March 4, 1829, to March 27, 1829.

MARTIN VAN BUREN, of New York, nominated, confirmed and commissioned March 6, 1829; entered upon duties March 28, 1829; resigned April 11, 1831; served to May 23, 1831.

EDWARD LIVINGSTON, of Louisiana, commissioned (recess of the Senate) May 24, 1831; entered upon duties same day; nominated December 7, 1831; confirmed and re-commissioned January 12, 1832; served through remainder of the administration.

SECRETARY OF THE TREASURY.

SAMUEL D. INGHAM, of Pennsylvania, nominated, confirmed and commissioned March 6, 1829; entered upon duties same day; resigned April 19, 1831; served to June 20, 1831.

ASBURY DICKINS (Chief Clerk), *ad interim* June 21, 1831, to August 7, 1831.

LOUIS McLANE, of Delaware, commissioned (recess of the Senate), August 8, 1831; entered upon duties same day; nominated December 7, 1831; confirmed and re-commissioned January 13, 1832; served through remainder of the administration.

SECRETARY OF WAR.

JOHN H. EATON, of Tennessee, nominated, confirmed and commissioned March 9, 1829; entered upon duties same day; resigned April 7, 1831; served to June 18, 1831.

PHILIP G. RANDOLPH (Chief Clerk), *ad interim* June 20, 1831, to July 21, 1831.

ROGER B. TANEY, of Maryland (Attorney General), *ad interim* July 21, 1831, to August 7, 1831.

LEWIS CASS, of Ohio, commissioned (recess of the Senate) August 1, 1831; entered upon duties August 8, 1831; nominated December 7, 1831; confirmed and recommissioned December 30, 1831; served through remainder of the administration.

ATTORNEY GENERAL.

JOHN M. BERRIEN, of Georgia, nominated, confirmed and commissioned March 9, 1829; entered upon duties same day; resigned June 15, 1831; served to June 22, 1831.

ROGER B. TANEY, of Maryland, commissioned (recess of the Senate) July 20, 1831; entered upon duties same day; nominated December 7, 1831; confirmed and recommissioned December 27, 1831; served through remainder of the administration.

POSTMASTER GENERAL.

JOHN MCLEAN, of Ohio, continued from last administration; served to March 9, 1829; appointed Associate Justice of the Supreme Court of the United States March 7, 1829.

WILLIAM T. BARRY, of Kentucky, nominated, confirmed and commissioned March 9, 1829; entered upon duties April 6, 1829; served through remainder of the administration.

SECRETARY OF THE NAVY.

CHARLES HAY (Chief Clerk), *ad interim* March 4, 1829, to March 9, 1829.

JOHN BRANCH, of North Carolina, nominated, confirmed and commissioned March 9, 1829; entered upon duties same day; resigned April 19, 1831; served to May 12, 1831. ✓

JOHN BOYLE (Chief Clerk), *ad interim* May 12, 1831, to May 23, 1831.

LEVI WOODBURY, of New Hampshire, commissioned (recess of the Senate) May 23, 1831; entered upon duties same day; nominated December 7, 1831; confirmed and re-commissioned December 27, 1831; served through remainder of the administration.

[Resignation of Vice President Calhoun.]

Columbia

S^c. Carolina

28th. Decr 1832

Sir,

Having concluded to accept of a seat in the Senate, to which I have been elected by the Legislature of this State, I herewith resign the office of Vice President of the United States.

Very respectfully

Your ob serv^t.

J. C. CALHOUN

Hon H. LIVINGSTON,
Sec^y of State.

[Calhoun made the curious mistake of addressing Edward Livingston as "H." Livingston. Original in Bureau of Appointments, Department of State.]

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**THE ADMINISTRATION
OF
ANDREW JACKSON**

SECOND TERM

March 4, 1833 to March 3, 1837

**ELECTION FOR THE TWELFTH TERM, COMMENCING 4TH MARCH,
1833, AND TERMINATING 3RD MARCH, 1837.**

[illegible]

ANDREW JACKSON, Tennessee

MARTIN VAN BUREN, New York.

March 4, 1833, to March 3, 1837.

SECRETARY OF STATE.

EDWARD LIVINGSTON, of Louisiana, continued from last administration; served to May 29, 1833, on which day he resigned and was appointed Envoy Extraordinary and Minister Plenipotentiary to France.

LOUIS McLANE, of Delaware, commissioned (recess of the Senate) May 29, 1833; entered upon duties same day; resigned June 18, 1834, to take effect June 30, 1834, to which day he served.

JOHN FORSYTH, of Georgia, nominated, confirmed and commissioned June 27, 1834; entered upon duties July 1, 1834; served through remainder of the administration.

SECRETARY OF THE TREASURY.

LOUIS McLANE, of Delaware, continued from last administration; served to May 29, 1833, when he was appointed Secretary of State.

WILLIAM J. DUANE, of Pennsylvania, commissioned (recess of the Senate), May 29, 1833; entered upon duties June 1, 1833; removed September 23, 1833.

ROGER B. TANEY, of Maryland, commissioned (recess of the Senate), September 23, 1833; entered upon duties September 24, 1833; nominated June 23, 1834; rejected June 24, 1834; resigned June 25, 1834.

McCLINTOCK YOUNG (Chief Clerk), *ad interim* June 25, 1834, to June 30, 1834.

LEVI WOODBURY, of New Hampshire, nominated, confirmed and commissioned June 27, 1834; entered upon duties July 1, 1834; served through remainder of the administration.

SECRETARY OF WAR.

LEWIS CASS, of Ohio, continued from last administration; served to October 4, 1836, on which day he was commissioned Envoy Extraordinary and Minister Plenipotentiary to France.

CAREY A. HARRIS, of Tennessee (Commissioner of Indian Affairs), *ad interim* October 5, 1836, to October 25, 1836.

BENJAMIN F. BUTLER, of New York (Attorney General), *ad interim* October 26, 1836, to March 3, 1837.

BENJAMIN F. BUTLER, of New York, nominated, confirmed and commissioned March 3, 1837, to be Secretary of War "during the pleasure of the President, until a successor, duly appointed, shall accept such office and enter upon the duties thereof."

ATTORNEY GENERAL.

ROGER B. TANEY, of Maryland, continued from last administration; served to September 23, 1833, on which day he resigned and was appointed Secretary of the Treasury.

PETER V. DANIEL, of Virginia, commissioned (recess of the Senate), October 22, 1833; declined November 4, 1833.

BENJAMIN F. BUTLER, of New York, commissioned (recess of the Senate), November 15, 1833; entered upon duties November 18, 1833; nominated June 23, 1834; confirmed June 24, 1834; recommissioned June 26, 1834; served through remainder of the administration.

POSTMASTER GENERAL.

WILLIAM T. BARRY, of Kentucky, continued from last administration; served to April 30, 1835; appointed Envoy Extraordinary and Minister Plenipotentiary to Spain April 10, 1835.

AMOS KENDALL, of Kentucky, commissioned (recess of the Senate), May 1, 1835; entered upon duties same day; nominated December 28, 1835; confirmed and recommissioned March 15, 1836; served through remainder of the administration.

SECRETARY OF THE NAVY.

LEVI WOODBURY, of New Hampshire, continued from last administration; resigned to take effect June 30, 1834; appointed Secretary of the Treasury June 27, 1834.

MAHLON DICKERSON, of New Jersey, nominated June 28, 1834; confirmed and commissioned June 30, 1834; entered upon duties July 1, 1834; served through remainder of the administration.

[United States Statutes at Large, Vol. 5, p. 80.]

Chap. CCLXX.—*An Act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof.* July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,

* * * * *

Sec. 40. *And be it further enacted,* That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.

Duties of P. M. General to devolve on Assistant P. M. G.

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Approved, July 2, 1836.

**THE ADMINISTRATION
OF
MARTIN VAN BUREN**

March 4, 1837, to March 3, 1841

**ELECTION FOR THE THIRTEENTH TERM, COMMENCING 4TH MARCH,
1837, AND TERMINATING 3RD MARCH, 1841.**

Number of Electoral Votes.	STATES.	President.					Vice President.			
		M. Van Buren, of New York.	Wm. H. Harrison, of Ohio.	Hugh L. White, of Tennessee.	Daniel Webster, of Massachusetts.	W. P. Mangum, of North Carolina.	R. M. Johnson, of Kentucky.	Francis Granger, of New York.	John Tyler, of Virginia.	William Smith, of Alabama.
10	Maine	10	..	..	..	..	10	..	..	..
7	New Hampshire..	7	..	..	..	..	7	..	..	..
14	Massachusetts ...	..	..	..	14	..	..	14	..	..
4	Rhode Island.....	4	..	..	..	..	4	..	..	..
8	Connecticut.....	8	..	..	..	..	8	..	..	..
7	Vermont.....	..	7	..	..	..	..	7	..	..
42	New York.....	42	..	..	..	..	42	..	..	..
8	New Jersey.....	..	8	..	..	..	..	8	..	..
30	Pennsylvania	30	..	..	..	..	30	..	..	..
3	Delaware.....	..	3	..	..	..	..	3	..	..
10	Maryland.....	..	10	..	..	..	..	..	10	..
23	Virginia.....	23	..	..	..	..	..	..	..	23
15	North Carolina...	15	..	..	..	..	15	..	..	..
11	South Carolina..	..	..	..	..	11	..	..	11	..
11	Georgia.....	..	..	11	..	..	..	..	11	..
15	Kentucky.....	..	15	..	..	..	..	15	..	..
15	Tennessee.....	..	..	15	..	..	..	..	15	..
21	Ohio.....	..	21	..	..	..	..	21	..	..
5	Louisiana.....	5	..	..	..	..	5	..	..	..
4	Mississippi.....	4	..	..	..	..	4	..	..	..
9	Indiana.....	..	9	..	..	..	..	9	..	..
5	Illinois.....	5	..	..	..	..	5	..	..	..
7	Alabama.....	7	..	..	..	..	7	..	..	..
4	Missouri.....	4	..	..	..	..	4	..	..	..
3	Arkansas.....	3	..	..	..	..	3	..	..	..
3	Michigan.....	3	..	..	..	..	3	..	..	..
294, whole number; necessary to elect, 148.		170	73	26	14	11	*147	77	47	23
Popular vote.....		761,549	736,656				*Elected by the Senate.			
Plurality		24,893								

MARTIN VAN BUREN, New York.

RICHARD M. JOHNSON, Kentucky.

March 4, 1837, to March 3, 1841.

SECRETARY OF STATE.

JOHN FORSYTH, of Georgia, continued from last administration; served to March 3, 1841, on which day he resigned.

SECRETARY OF THE TREASURY.

LEVI WOODBURY, of New Hampshire, continued from last administration; resigned March 2, 1841, to take effect March 3, 1841.

SECRETARY OF WAR.

BENJAMIN F. BUTLER, of New York, *ad interim*, continued from last administration; served to March 13, 1837.

JOEL R. POINSETT, of South Carolina, nominated, confirmed and commissioned March 7, 1837; entered upon duties March 14, 1837; resigned March 2, 1841, to take effect March 3, 1841.

ATTORNEY GENERAL.

BENJAMIN F. BUTLER, of New York, continued from last administration; resigned to take effect September 1, 1838; served to August 31, 1838.

FELIX GRUNDY, of Tennessee, nominated, confirmed and commissioned July 5, 1838, to take effect September 1, 1838; entered upon duties September 1, 1838; resigned December 14, 1839.

HENRY D. GILPIN, of Pennsylvania, nominated January 8, 1840; confirmed January 10, 1840; commissioned January 11, 1840; entered upon duties same day; resigned March 2, 1841, to take effect March 3, 1841.

POSTMASTER GENERAL.

AMOS KENDALL, of Kentucky, continued from last administration; resigned May 11, 1840; served to May 25, 1840.

JOHN M. NILES, of Connecticut, nominated May 16, 1840; confirmed May 18, 1840; commissioned May 19, 1840, to take effect May 25, 1840; entered upon duties May 26, 1840; resigned March 1, 1841, to take effect March 3, 1841.

SECRETARY OF THE NAVY.

MAHLON DICKERSON, of New Jersey, continued from last administration; resigned to take effect June 30, 1838, to which day he served.

JAMES K. PAULDING, of New York, nominated June 15, 1838; confirmed June 20, 1838; commissioned June 25, 1838, to take effect "after the 30th instant;" entered upon duties July 1, 1838; resigned March 2, 1841, to take effect March 3, 1841.

**THE ADMINISTRATION
OF
WILLIAM HENRY HARRISON**

March 4, 1841, to April 4, 1841



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ELECTION FOR THE FOURTEENTH TERM, COMMENCING 4TH MARCH,
1841, AND TERMINATING 3RD MARCH, 1845.

Number of Electoral Votes.	STATES.	President.		Vice President.			
		Wm. H. Harrison, of Ohio.	M. Van Buren, of New York.	John Tyler, of Virginia.	R. M. Johnson, of Kentucky.	L. W. Tazewell, of Virginia.	James K. Polk, of Tennessee.
10	Maine	10	..	10	..	..	..
7	New Hampshire .....	..	7	..	7	..	..
14	Massachusetts	14	..	14	..	..	..
4	Rhode Island	4	..	4	..	..	..
8	Connecticut	8	..	8	..	..	..
7	Vermont	7	..	7	..	..	..
42	New York	42	..	42	..	..	..
8	New Jersey	8	..	8	..	..	..
30	Pennsylvania	30	..	30	..	..	..
3	Delaware	3	..	3	..	..	..
10	Maryland	10	..	10	..	..	..
23	Virginia .....	..	23	..	22	..	1
15	North Carolina	15	..	15	..	..	..
11	South Carolina .....	..	11	..	..	11	..
11	Georgia	11	..	11	..	..	..
15	Kentucky	15	..	15	..	..	..
15	Tennessee	15	..	15	..	..	..
21	Ohio	21	..	21	..	..	..
5	Louisiana	5	..	5	..	..	..
4	Mississippi	4	..	4	..	..	..
9	Indiana	9	..	9	..	..	..
5	Illinois .....	..	5	..	5	..	..
7	Alabama .....	..	7	..	7	..	..
4	Missouri .....	..	4	..	4	..	..
3	Arkansas .....	..	3	..	3	..	..
3	Michigan	3	..	3	..	..	..
294, whole number; necessary to elect, 148.		234	60	234	48	11	1
Popular vote		1,275,017	1,128,702				
Plurality		146,315					

WILLIAM HENRY HARRISON, Ohio (Died April 4, 1841).
JOHN TYLER, Virginia.

March 4, 1841, to April 4, 1841.

SECRETARY OF STATE.

J. L. MARTIN (Chief Clerk), *ad interim* March 4, 1841, to March 5, 1841.

DANIEL WEBSTER, of Massachusetts, nominated, confirmed and commissioned March 5, 1841; entered upon duties March 6, 1841; served through remainder of Harrison's administration.

SECRETARY OF THE TREASURY.

MCCLINTOCK YOUNG (Chief Clerk), *ad interim* March 4, 1841, to March 5, 1841.

THOMAS EWING, of Ohio, nominated, confirmed and commissioned March 5, 1841; entered upon duties March 6, 1841; served through remainder of Harrison's administration.

SECRETARY OF WAR.

JOHN BELL, of Tennessee, nominated, confirmed and commissioned March 5, 1841; entered upon duties March 6, 1841; served through remainder of Harrison's administration.

ATTORNEY GENERAL.

JOHN J. CRITTENDEN, of Kentucky, nominated, confirmed and commissioned March 5, 1841; entered upon duties March 6, 1841; served through remainder of Harrison's administration.

POSTMASTER GENERAL.

SELAH R. HOBBS, of New York (First Assistant Postmaster General), *ad interim* March 4, 1841, to March 7, 1841.

FRANCIS GRANGER, of New York, nominated March 5, 1841; confirmed and commissioned March 6, 1841; entered upon duties March 8, 1841; served through remainder of Harrison's administration.

SECRETARY OF THE NAVY.

JOHN D. SIMMS (Chief Clerk), *ad interim* March 4, 1841, to March 5, 1841.

GEORGE E. BADGER, of North Carolina, nominated, confirmed and commissioned March 5, 1841; entered upon duties March 6, 1841; served through remainder of Harrison's administration.

[Domestic Letters, Department of State.]

Washington, April the 4th, A. D. 1841.

William Henry Harrison, President of the United States, departed this life, 'at the President's house in this city, this morning, being Sunday the fourth day of April, in the year of our Lord one thousand eight hundred and forty-one, at thirty minutes before one o'clock in the morning; We whose names are hereunto subscribed, being in the house, and some of us in his immediate presence at the time of his decease.

W. W. SEATON,	DANIEL WEBSTER,	
Mayor of Washington.	Secretary of State.	
THOMAS MILLER, M. D.,	THOMAS EWING,	
Attending Physician.	Secretary of the Treasury.	
ASHTON ALEXANDER, M. D.,	JOHN BELL,	
Consulting Physician.	Secretary of War.	
WM. HAWLEY,	J. J. CRITTENDEN,	
Rector of St. John's Church.	Attorney General.	
A. HUNTER,	FRANCIS GRANGER,	
Marshal of the District of	Postmaster General.	
Columbia.	JOHN CHAMBERS	} of the President's Family.
WM. THOS. CARROLL,	C. S. TODD	
Clerk of the Supreme	DAVID O. COUPLAND	
Court, U. S.		

FLETCHER WEBSTER,
Chief Clerk in the State
Department.

Let this be duly recorded and placed among the Rolls.

(Signed) DANIEL WEBSTER
Secretary of State.

[Domestic Letters, Department of State.]

An all wise Providence having suddenly removed from this life, *William Henry Harrison*, late President of the United States, we have thought it our duty, in the recess of Congress, and in the absence of the Vice President from the seat of Government, to make this afflicting bereavement known to the country by this declaration under our hands.

He died at the President's House, in this city, this day the 4th of April, anno Domini, 1841, at thirty minutes before one o'clock in the morning.

The people of the United States, overwhelmed like ourselves, by an event so unexpected and so melancholy, will derive consolation from knowing that his death was calm and resigned, as his life had been patriotic, useful and distinguished; and that the last utterance of his lips expressed a fervent desire for the perpetuity of the Constitution and the preservation of its true principles. In death, as in life, the happiness of his country was uppermost in his thoughts.

DANIEL WEBSTER, Secretary of State.

THOS. EWING, Secretary of the Treasury.

JOHN BELL, Secretary of War.

J. J. CRITTENDEN, Attorney General.

FRANCIS GRANGER, Postmaster General.

City of Washington, 4 April, 1841.

**THE ADMINISTRATION
OF
JOHN TYLER**

April 6, 1841, to March 3, 1845

Immediately after the decease of the President, Mr. Fletcher Webster, Chief Clerk in the Department of State, accompanied by Mr. Beall, an officer of the Senate, set out for the residence of the Vice President, in Virginia, bearing to him the following letter:

[Domestic Letters, Department of State.]

DEPARTMENT OF STATE,

Washington, 4th April, 1841.

JOHN TYLER,

Vice President of the United States.

Sir:

It has become our most painful duty to inform you that William Henry Harrison, late President of the United States, has departed this life.

This distressing event took place this day, at the President's Mansion in this city, at thirty minutes before one in the morning.

We lose no time in despatching the chief clerk in the State Department as a Special Messenger to bear to you these melancholy tidings.

We have the honor to be, with the highest regard, your obedient servants,

D. WEBSTER,

Secretary of State.

THOMAS EWING,

Secretary of the Treasury.

JOHN BELL,

Secretary of War.

J. J. CRITTENDEN,

Attorney General.

FRANCIS GRANGER,

Postmaster General.

[National Intelligencer, Wednesday, April 7, 1841.]

By the extraordinary despatch used in sending the official intelligence to the Vice President, at Williamsburg, and similar despatch by him in repairing to the seat of Government,

John Tyler, now President of the United States, arrived in this city yesterday morning, at 5 o'clock, and took lodgings at Brown's Hotel.

At 12 o'clock, all the Heads of Departments, except the Secretary of the Navy, (who has not yet returned to the city from his visit to his family,) waited upon him, to pay him their official and personal respects. They were received with all the politeness and kindness which characterize the new President. He signified his deep feeling of the public calamity sustained by the death of President Harrison, and expressed his profound sensibility to the heavy responsibilities so suddenly devolved upon himself. He spoke of the present state of things with great concern and seriousness, and made known his wishes that the several Heads of Departments would continue to fill the places which they now respectively occupy, and his confidence that they would afford all the aid in their power to enable him to carry on the administration of the Government successfully.

The President then took and subscribed the following oath of office:

I do solemnly swear, that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.

JOHN TYLER,

April 6, 1841.

District of Columbia,

City and County of Washington, ss.

I, William Cranch, chief Judge of the Circuit Court of the District of Columbia, certify that, the above named John Tyler personally appeared before me this day, and although he deems himself qualified to perform the duties and exercise the powers and office of President, on the death of William Henry Harrison, late President of the United States, without any other oath than that which he has taken as Vice President; yet as doubts may arise, and for greater caution, took and subscribed the foregoing oath, before me.

W. CRANCH,

April 6th, 1841.

JOHN TYLER, Virginia.

SAMUEL L. SOUTHARD, New Jersey, } Presidents *pro tem*-
WILLIE P. MANGUM, North Carolina, } pore of the Senate.

April 6, 1841, to March 3, 1845.

SECRETARY OF STATE.

DANIEL WEBSTER, of Massachusetts, continued from Harrison's administration; served to May 8, 1843, on which day he resigned.

HUGH S. LEGARÉ, of South Carolina (Attorney General), *ad interim* May 9, 1843, to June 20, 1843.

WILLIAM S. DERRICK (Chief Clerk), *ad interim* June 21, 1843, to June 23, 1843.

ABEL P. UPSHUR, of Virginia (Secretary of the Navy), *ad interim* June 24, 1843, to July 23, 1843.

ABEL P. UPSHUR, of Virginia, commissioned (recess of the Senate) July 24, 1843; nominated December 6, 1843; confirmed and recommissioned January 2, 1844; killed on the "Princeton" February 28, 1844.

JOHN NELSON, of Maryland (Attorney General), *ad interim* February 29, 1844, to March 31, 1844.

JOHN C. CALHOUN, of South Carolina, nominated, confirmed and commissioned March 6, 1844; entered upon duties April 1, 1844; resigned March 1, 1845; served through remainder of the administration.

SECRETARY OF THE TREASURY.

THOMAS EWING, of Ohio, continued from Harrison's administration; resigned September 11, 1841.

MCCINTOCK YOUNG (Chief Clerk), *ad interim* September 13, 1841.

WALTER FORWARD, of Pennsylvania, nominated September 11, 1841; confirmed and commissioned September 13,

1841; entered upon duties September 14, 1841; resigned February 26, 1843, to take effect March 1, 1843; served to February 28, 1843.

MCCCLINTOCK YOUNG (Chief Clerk), *ad interim* March 1, 1843, to March 7, 1843.

CALEB CUSHING, of Massachusetts, nominated March 3, 1843; rejected March 3, 1843.

JOHN C. SPENCER, of New York, nominated, confirmed and commissioned March 3, 1843; entered upon duties March 8, 1843; nominated as Associate Justice of the Supreme Court of the United States January 8, 1844; rejected January 31, 1844; resigned as Secretary of the Treasury May 2, 1844.

MCCCLINTOCK YOUNG (Chief Clerk), *ad interim* May 2, 1844, to July 3, 1844.

JAMES S. GREEN, of New Jersey, nominated June 14, 1844; rejected June 15, 1844.

GEORGE M. BIBB, of Kentucky, nominated, confirmed and commissioned June 15, 1844; entered upon duties July 4, 1844; resigned March 3, 1845.

SECRETARY OF WAR.

JOHN BELL, of Tennessee, continued from Harrison's administration; resigned September 11, 1841.

ALBERT M. LEA (Chief Clerk), *ad interim* September 12, 1841, to October 11, 1841.

JOHN MCLEAN, of Ohio, nominated September 11, 1841; confirmed and commissioned September 13, 1841; declined.

JOHN C. SPENCER, of New York, commissioned (recess of the Senate) October 12, 1841; entered upon duties same day; nominated December 13, 1841; confirmed and re-commissioned December 20, 1841; served to March 7, 1843; appointed Secretary of the Treasury March 3, 1843.

JAMES M. PORTER, of Pennsylvania, commissioned (recess of the Senate) March 8, 1843; entered upon duties same day; nominated December 6, 1843; rejected January 30, 1844; served to February 19, 1844.

WILLIAM WILKINS, of Pennsylvania, nominated February 14, 1844; confirmed and commissioned February 15, 1844; entered upon duties February 20, 1844; resigned March 3, 1845.

ATTORNEY GENERAL.

JOHN J. CRITTENDEN, of Kentucky, continued from Harrison's administration; resigned September 11, 1841.

HUGH S. LEGARÉ, of South Carolina, nominated September 11, 1841; confirmed and commissioned September 13, 1841; entered upon duties September 20, 1841; died June 20, 1843.

JOHN NELSON, of Maryland, commissioned (recess of the Senate) July 1, 1843; entered upon duties same day; nominated December 6, 1843; confirmed and recommissioned January 2, 1844; resigned March 3, 1845, to take effect March 4, 1845.

POSTMASTER GENERAL.

FRANCIS GRANGER, of New York, continued from Harrison's administration; resigned and served to September 13, 1841.

SELAH R. HOBBIÉ, of New York (First Assistant Postmaster General), *ad interim* September 14, 1841, to October 12, 1841.

CHARLES A. WICKLIFFE, of Kentucky, nominated, confirmed and commissioned September 13, 1841; entered upon duties October 13, 1841; resigned March 3, 1845.

SECRETARY OF THE NAVY.

GEORGE E. BADGER, of North Carolina, continued from Harrison's administration; resigned September 11, 1841.

JOHN D. SIMMS (Chief Clerk), *ad interim* September 11, 1841, to October 11, 1841.

ABEL P. UPSHUR, of Virginia, nominated September 11, 1841; confirmed and commissioned September 13, 1841; entered upon duties October 11, 1841; served to July 23, 1843; appointed Secretary of State July 24, 1843.

DAVID HENSHAW, of Massachusetts, commissioned (recess of the Senate) July 24, 1843; entered upon duties same day; nominated December 6, 1843; rejected January 15, 1844; served to February 19, 1844.

THOMAS W. GILMER, of Virginia, nominated February 14, 1844; confirmed and commissioned February 15, 1844; entered upon duties February 19, 1844; killed on the "Princeton" February 28, 1844.

LEWIS WARRINGTON (Captain, U. S. Navy), *ad interim* February 29, 1844, to March 25, 1844.

JOHN Y. MASON, of Virginia, nominated March 13, 1844; confirmed and commissioned March 14, 1844; entered upon duties March 26, 1844; resigned March 3, 1845.

[United States Statutes at Large, Vol. 5, p. 721.]

Chap. I.—*An Act to establish a uniform time for holding elections for electors of President and Vice President in all the States of the Union.** Election day fixed.
Jan. 22, 1845.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the electors of President and Vice President shall be ap-

* Election of President and Vice President of the United States: Constitution of the United States, art. 2, sec. 1, vol. 1, 15, 16. Twelfth amendment to the constitution of the United States, vol. 1, 22.

An act relative to the election of a President and Vice President of the United States, and declaring the officer who shall act as President in case of vacancies in the office of both President and Vice President; March 1, 1792, chap. 8.

An act supplementary to the act entitled "An act relative to the election of a President and Vice President of the United States, and declaring the officer who shall act as President, in case of vacancies in the office of both President and Vice President; March 26, 1804, chap. 50.

pointed in each State on the Tuesday next after the first Monday in the month of November of the year in which they are to be appointed: *Provided*, That each State may by law provide for the filling of any vacancy or vacancies which may occur in its college of electors when such college meets to give its electoral vote: *And provided, also*, when any State shall have held an election for the purpose of choosing electors, and shall fail to make a choice on the day aforesaid, then the electors may be appointed on a subsequent day in such manner as the State shall by law provide.

Vacancies.

In case of
no election.

Approved, January 23, 1845.

**THE ADMINISTRATION
OF
JAMES K. POLK**

March 4, 1845, to March 3, 1849

136 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE FIFTEENTH TERM, COMMENCING 4TH MARCH,
1845, AND TERMINATING 3RD MARCH, 1849.

Number of Electoral Votes.	STATES.	President.		V. President.	
		James K. Polk, of Tennessee.	Henry Clay, of Kentucky.	George M. Dallas, of Pennsylvania.	T. Frelinghuysen, of New York.
9	Maine.....	9	..	9	..
6	New Hampshire.....	6	..	6	..
12	Massachusetts.....	..	12	..	12
4	R. Island & P. Plantations	..	4	..	4
6	Connecticut.....	..	6	..	6
6	Vermont.....	..	6	..	6
36	New York.....	36	..	36	..
7	New Jersey.....	..	7	..	7
26	Pennsylvania.....	26	..	26	..
3	Delaware.....	..	3	..	3
8	Maryland.....	..	8	..	8
17	Virginia.....	17	..	17	..
11	North Carolina.....	..	11	..	11
9	South Carolina.....	9	..	9	..
10	Georgia.....	10	..	10	..
12	Kentucky.....	..	12	..	12
13	Tennessee.....	..	13	..	13
23	Ohio.....	..	23	..	23
6	Louisiana.....	6	..	6	..
6	Mississippi.....	6	..	6	..
12	Indiana.....	12	..	12	..
9	Illinois.....	9	..	9	..
9	Alabama.....	9	..	9	..
7	Missouri.....	7	..	7	..
3	Arkansas.....	3	..	3	..
5	Michigan.....	5	..	5	..
275, whole number; necessary to elect, 138.		170	105	170	105
Popular vote.....		1,337,343	1,299,068		
Plurality.....		38,175			

JAMES K. POLK, Tennessee.

GEORGE M. DALLAS, Pennsylvania.

March 4, 1845, to March 3, 1849.

SECRETARY OF STATE.

JOHN C. CALHOUN, of South Carolina, continued from last administration; resigned February 27, 1845; served to March 10, 1845.

JAMES BUCHANAN, of Pennsylvania, nominated and confirmed March 5, 1845; commissioned March 6, 1845; entered upon duties March 10, 1845; resigned March 3, 1849, to take effect March 7, 1849.

SECRETARY OF THE TREASURY.

GEORGE M. BIBB, of Kentucky, continued from last administration; resigned and served to March 7, 1845.

ROBERT J. WALKER, of Mississippi, nominated and confirmed March 5, 1845; commissioned March 6, 1845; entered upon duties March 8, 1845; served through remainder of the administration.

SECRETARY OF WAR.

WILLIAM WILKINS, of Pennsylvania, continued from last administration; resigned and served to March 7, 1845.

WILLIAM L. MARCY, of New York, nominated and confirmed March 5, 1845; commissioned March 6, 1845; entered upon duties March 8, 1845; served through remainder of the administration.

ATTORNEY GENERAL.

JOHN NELSON, of Maryland, continued from last administration; served to March 4, 1845.

JOHN Y. MASON, of Virginia, nominated and confirmed March 5, 1845; commissioned March 6, 1845; entered upon duties March 11, 1845; served to September 9, 1846, on which day he was appointed Secretary of the Navy.

NATHAN CLIFFORD, of Maine, commissioned (recess of the Senate) October 17, 1846; entered upon duties October 18, 1846; nominated December 14, 1846; confirmed and recommissioned December 23, 1846; served to March 18, 1848, on which day he was appointed Special Commissioner to Mexico.

ISAAC TOUCEY, of Connecticut, nominated June 15, 1848; confirmed and commissioned June 21, 1848; entered upon duties June 29, 1848; served through remainder of the administration.

POSTMASTER GENERAL.

CHARLES A. WICKLIFFE, of Kentucky, continued from last administration; resigned and served to March 6, 1845.

CAVE JOHNSON, of Tennessee, nominated and confirmed March 5, 1845; commissioned March 6, 1845; entered upon duties March 7, 1845; served through remainder of the administration.

SECRETARY OF THE NAVY.

JOHN Y. MASON, of Virginia, continued from last administration; served to March 10, 1845; appointed Attorney General March 6, 1845.

GEORGE BANCROFT, of Massachusetts, nominated March 5, 1845; confirmed and commissioned March 10, 1845; entered upon duties March 11, 1845; served to September 9, 1846, on which day he was appointed Envoy Extraordinary and Minister Plenipotentiary to England.

JOHN Y. MASON, of Virginia, commissioned (recess of the Senate) September 9, 1846; entered upon duties September 10, 1846; resigned March 3, 1849, to take effect March 7, 1849.

[United States Statutes at Large, Vol. 9, p. 395.]

Chap. CVIII.—*An Act to establish the Home Department, and to provide for the Treasury Department an Assistant Secretary of the Treasury, and a Commissioner of the Customs.* March 3, 1849.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, there shall be created a new executive department of the government of the United States, to be called the Department of the Interior; the head of which department shall be called the Secretary of the Interior, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall hold his office by the same tenure, and receive the same salary, as the Secretaries of the other executive departments, and who shall perform all the duties assigned to him by this act.

New executive department created, to be called the "Department of the Interior."

Secretary of the Interior—how to be appointed: his salary.

Sec. 2. *And be it further enacted, That* the Secretary of the Interior shall exercise and perform all the acts of supervision and appeal in regard to the office of Commissioner of Patents, now exercised by the Secretary of State; and the said Secretary of the Interior shall sign all requisitions for the advance or payment of money out of the treasury on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First or Fifth Auditor and First Comptroller of the Treasury.

Secretary of the Interior to have supervision of the patent office;

Sec. 3. *And be it further enacted, That* the Secretary of the Interior shall perform all the duties in relation to the General Land Office, of supervision and appeal, now discharged by the Secretary of the Treasury; and the said Secretary of the Interior shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, approved or certified by the Commissioner of the General Land Office, subject to the same control now exercised by the First Comptroller of the Treasury.

And of the General Land Office;

Sec. 4. *And be it further enacted, That* the supervisory power now exercised by the Secretary of the Treasury over the accounts of the marshals, clerks, and other officers of all the

And of the accounts of marshals, clerks, and officers of Courts of the United States, &c.;

courts of the United States, shall be exercised by the Secretary of the Interior, who shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same control now exercised on like estimates or accounts by the First Auditor and First Comptroller of the Treasury.

And of the
Commissioner of
Indian Affairs, &c.;

Sec. 5. *And be it further enacted*, That the Secretary of the Interior shall exercise the supervisory and appellate powers now exercised by the Secretary of the War Department, in relation to all the acts of the Commissioner of Indian Affairs; and shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the Second Auditor and Second Comptroller of the Treasury.

And of the
Commissioner of
Pensions, &c.;

Sec. 6. *And be it further enacted*, That the Secretary of the Interior shall exercise the supervisory and appellate powers now exercised by the Secretaries of the War and Navy Departments, in relation to all the acts of the Commissioner of Pensions; and shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the Third or Fourth Auditors and Second Comptroller of the Treasury.

And of the taking
and making returns
of census, &c.;

Sec. 7. *And be it further enacted*, That the Secretary of the Interior shall exercise all the supervisory and appellate powers now exercised by the Secretary of State, in relation to all acts of marshals and others in taking and returning the census of the United States; and shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised over similar estimates and accounts by the Fifth Auditor and First Comptroller of the Treasury.

And of the lead and
other mines of the
U. States;

Sec. 8. *And be it further enacted*, That the supervisory and appellate powers now exercised by the Secretary of the Treasury over the lead and other mines of the United States, and over the accounts of the agents thereof, shall be exercised

by the Secretary of the Interior; who shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the Second Auditor and Second Comptroller of the Treasury.

Sec. 9. *And be it further enacted*, That the supervisory and appellate powers now exercised by the President of the United States over the Commissioner of Public Buildings, shall be exercised by the Secretary of the Interior; who shall sign all requisitions for the advance or payment of money out of the treasury, on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First Auditor and First Comptroller of the Treasury: *Provided*, That nothing in this section contained shall be construed to take from the presiding officers of the two Houses of Congress the power now possessed by them to make and enforce rules and regulations for the care, preservation, orderly keeping, and police of the Capitol, and its appurtenances.

And of the
Commissioner of
Public Buildings,
&c.;

Provido.

Sec. 10. *And be it further enacted*, That the Secretary of the Interior shall have and exercise a supervisory power and control over the Board of Inspectors and warden of the Penitentiary of the District of Columbia; and shall sign all requisitions for the advance or payment of money out of the treasury on estimates or accounts, subject to the same adjustment or control now exercised on similar estimates or accounts by the First Auditor and First Comptroller of the Treasury.

And over the
penitentiary of the
District of
Columbia.

Sec. 11. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to appoint a chief clerk of his department, who shall receive a salary of two thousand dollars per annum; and that the President of the United States, on the recommendation of the said Secretary of the Interior, may transfer from the Treasury Department proper, to the Department of the Interior, such clerks in the office of the Secretary of the Treasury as perform the duties over which the supervision and control are given by this act to the Secretary of the Interior; which said clerks shall be hereafter sub-

Secretary to appoint
a chief clerk:
his salary.

Certain clerks in
the Treasury
Department to be
transferred to the
office of Secretary
of the Interior.

Appointment of ^{clerks.}ject to the appointing and removing power of the Secretary of the Interior, as also the clerks in the several bureaus heretofore appointed or removable by the heads of departments, which bureaus are transferred by this act to the Department of the Interior.

* * * * *

Approved, March 3, 1849.

**THE ADMINISTRATION
OF
ZACHARY TAYLOR**

March 5, 1849, to July 9, 1850

144 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE SIXTEENTH TERM, COMMENCING 4TH MARCH.
1849, AND TERMINATING 8th MARCH, 1853.

Number of Electoral Votes.	STATES.	President.		V. President.	
		Z. Taylor, of Louisiana.	Lev Cass, of Michigan.	M. Fillmore, of New York.	W. O. Butler, of Kentucky.
9	Maine.....	..	9	..	9
6	New Hampshire.....	..	6	..	6
12	Massachusetts.....	12	..	12	..
4	Rhode Island.....	4	..	4	..
6	Connecticut.....	6	..	6	..
6	Vermont.....	6	..	6	..
36	New York.....	36	..	36	..
7	New Jersey.....	7	..	7	..
26	Pennsylvania.....	26	..	26	..
3	Delaware.....	3	..	3	..
8	Maryland.....	8	..	8	..
17	Virginia.....	..	17	..	17
11	North Carolina.....	11	..	11	..
9	South Carolina.....	..	9	..	9
10	Georgia.....	10	..	10	..
12	Kentucky.....	12	..	12	..
13	Tennessee.....	13	..	13	..
23	Ohio.....	..	23	..	23
6	Louisiana.....	6	..	6	..
6	Mississippi.....	..	6	..	6
12	Indiana.....	..	12	..	12
9	Illinois.....	..	9	..	9
9	Alabama.....	..	9	..	9
7	Missouri.....	..	7	..	7
3	Arkansas.....	..	3	..	3
5	Michigan.....	..	5	..	5
3	Florida.....	3	..	3	..
4	Texas.....	..	4	..	4
4	Iowa.....	..	4	..	4
4	Wisconsin.....	..	4	..	4
290, whole number; necessary to elect, 146.		163	127	163	127
Popular vote.....		1,360,101	1,290,544		
Plurality.....		139,557			

ZACHARY TAYLOR, Louisiana (Died July 9, 1850).

MILLARD FILLMORE, New York.

March 5, 1849, to July 9, 1850.

SECRETARY OF STATE.

JAMES BUCHANAN, of Pennsylvania, continued from last administration; resigned and served to March 7, 1849.

JOHN M. CLAYTON, of Delaware, nominated March 6, 1849; confirmed and commissioned March 7, 1849; entered upon duties March 8, 1849; served through remainder of Taylor's administration.

SECRETARY OF THE TREASURY.

ROBERT J. WALKER, of Mississippi, continued from last administration; resigned and served to March 5, 1849.

McCLINTOCK YOUNG (Chief Clerk), *ad interim* March 6, 1849, to March 7, 1849.

WILLIAM M. MEREDITH, of Pennsylvania, nominated March 6, 1849; confirmed March 7, 1849; commissioned March 8, 1849; entered upon duties same day; served through remainder of Taylor's administration.

SECRETARY OF WAR.

WILLIAM L. MARCY, of New York, continued from last administration; resigned and served to March 7, 1849.

REVERDY JOHNSON, of Maryland (Attorney General), *ad interim* March 8, 1849, to March 13, 1849.

GEORGE W. CRAWFORD, of Georgia, nominated March 6, 1849; confirmed March 7, 1849; commissioned March 8, 1849; entered upon duties March 14, 1849; served through remainder of Taylor's administration.

ATTORNEY GENERAL.

ISAAC TOUCEY, of Connecticut, continued from last administration; resigned and served to March 7, 1849.

REVERDY JOHNSON, of Maryland, nominated March 6, 1849; confirmed March 7, 1849; commissioned March 8, 1849; entered upon duties same day; served through remainder of Taylor's administration.

POSTMASTER GENERAL.

CAVE JOHNSON, of Tennessee, continued from last administration; resigned and served to March 5, 1849.

SELAH R. HOBBIE, of New York (First Assistant Postmaster General), *ad interim* March 6, 1849, to March 7, 1849.

JACOB COLLAMER, of Vermont, nominated March 6, 1849; confirmed March 7, 1849; commissioned March 8, 1849; entered upon duties same day; served through remainder of Taylor's administration.

SECRETARY OF THE NAVY.

JOHN Y. MASON, of Virginia, continued from last administration; resigned and served to March 7, 1849.

WILLIAM B. PRESTON, of Virginia; nominated March 6, 1849; confirmed March 7, 1849; commissioned March 8, 1849; entered upon duties same day; served through remainder of Taylor's administration.

SECRETARY OF THE INTERIOR.*

THOMAS EWING, of Ohio, nominated March 6, 1849; confirmed March 7, 1849; commissioned March 8, 1849; entered upon duties same day; served through remainder of Taylor's administration.

* Department of the Interior was established by act of March 3, 1849.

**THE ADMINISTRATION
OF
MILLARD FILLMORE**

July 10, 1850, to March 3, 1853



[Domestic Letters, Department of State.]

Department of State,

MILLARD FILLMORE,

Washington, July 9, 1850.

President of the United States.

Sir:

The melancholy and most painful duty devolves on us to announce to you that *Zachary Taylor*, late President of the United States, is no more. He died at the President's Mansion this evening at half past ten o'clock.

We have the honor to be, &c.

JOHN M. CLAYTON, Sec'y of State.

W. M. MEREDITH, Sec'y of the Treas'y.

T. EWING, Secretary of the Interior.

GEORGE W. CRAWFORD, Sec'y of War.

WM. BALLARD PRESTON, Sec'y of the Navy.

J. COLLAMER, Postmaster General.

[Domestic Letters, Department of State.]

Gentlemen:

Washington, July 9, 1850.

I have just received your note conveying the melancholy and painful intelligence of the death of *Zachary Taylor*, late President of the United States. I have no language to express the emotions of my heart. The shock is so sudden and unexpected that I am overwhelmed with grief.

I shall avail myself of the earliest moment to communicate this sad intelligence to Congress; and shall appoint a time and place for taking the oath of office prescribed to the President of the United States. You are requested to be present and witness the ceremony. I am, gentlemen &c.

MILLARD FILLMORE.

To Hon. JOHN M. CLAYTON, Secretary of State.

WM. M. MEREDITH, Secretary of the Treasury.

T. EWING, Secretary of the Interior.

GEO. W. CRAWFORD, Secretary of War.

WM. BALLARD PRESTON, Secretary of the Navy.

J. COLLAMER, Postmaster General.

REVERDY JOHNSON, Attorney General.

[Journal of the House of Representatives, July 10, 1850.]

Fellow-citizens of the Senate and House of Representatives:

I have to perform the melancholy duty of announcing to you that it has pleased Almighty God to remove from this life Zachary Taylor, late President of the United States. He deceased last evening at the hour of half-past ten o'clock, in the midst of his family, and surrounded by affectionate friends, calmly and in the full possession of all his faculties. Among his last words were these, which he uttered with emphatic distinctness: "I have always done my duty; I am ready to die; my only regret is for the friends I leave behind me."

Having announced to you, fellow-citizens, this most afflict-ing bereavement, and assuring you that it has penetrated no heart with deeper grief than mine, it remains for me to say that I propose this day, at 12 o'clock, in the hall of the House of Representatives, in presence of both houses of Congress, to take the oath prescribed by the constitution, to enable me to enter on the execution of the office which this event has devolved upon me.

MILLARD FILLMORE.

Washington, July 10, 1850.

President Fillmore took the oath at the time and place thus arranged, before Chief Judge William Cranch, of the Circuit Court of the District of Columbia, in the presence of the cabinet, the Senators and the Representatives. He delivered no inaugural, but later sent a written message instead.

MILLARD FILLMORE, New York,

WILLIAM R. KING, Alabama, } Presidents *pro tempore*
DAVID R. ATCHISON, Missouri. } of the Senate.

July 10, 1850, to March 3, 1853.

SECRETARY OF STATE.

JOHN M. CLAYTON, of Delaware, continued from Taylor's administration; resigned July 9, 1850; served to July 22, 1850.

DANIEL WEBSTER, of Massachusetts, nominated and confirmed July 20, 1850; commissioned July 22, 1850; entered upon duties July 23, 1850; died October 24, 1852.

CHARLES M. CONRAD, of Louisiana (Secretary of War), *ad interim* October 25, 1852, to November 5, 1852.

EDWARD EVERETT, of Massachusetts, commissioned (recess of the Senate) November 6, 1852; entered upon duties same day; nominated December 7, 1852; confirmed and recommissioned December 9, 1852; resigned March 3, 1853.

SECRETARY OF THE TREASURY.

WILLIAM M. MEREDITH, of Pennsylvania, continued from Taylor's administration; resigned to take effect July 22, 1850.

THOMAS CORWIN, of Ohio, nominated and confirmed July 20, 1850; commissioned July 23, 1850; entered upon duties same day; served through remainder of the administration.

SECRETARY OF WAR.

GEORGE W. CRAWFORD, of Georgia, continued from Taylor's administration; resigned to take effect July 22, 1850.

EDWARD BATES, of Missouri, nominated and confirmed July 20, 1850; declined.

SAMUEL J. ANDERSON (Chief Clerk), *ad interim* July 23, 1850.

WINFIELD SCOTT (Major General U. S. Army), *ad interim* July 24, 1850, to August 15, 1850.

CHARLES M. CONRAD, of Louisiana, nominated, confirmed and commissioned August 15, 1850; entered upon duties August 16, 1850; served through remainder of the administration.

ATTORNEY GENERAL.

REVERDY JOHNSON, of Maryland, continued from Taylor's administration; resigned and served to July 22, 1850.

JOHN J. CRITTENDEN, of Kentucky, nominated and confirmed July 20, 1850; commissioned July 22, 1850; entered upon duties August 14, 1850; served through remainder of the administration.

POSTMASTER GENERAL.

JACOB COLLAMER, of Vermont, continued from Taylor's administration; resigned and served to July 22, 1850.

NATHAN K. HALL, of New York, nominated and confirmed July 20, 1850; commissioned July 23, 1850; entered upon duties same day; resigned August 31, 1852, to accept position of United States Judge for the northern district of New York; served to September 13, 1852.

SAMUEL D. HUBBARD, of Connecticut, nominated, confirmed and commissioned August 31, 1852; entered upon duties September 14, 1852; served through remainder of the administration.

SECRETARY OF THE NAVY.

WILLIAM B. PRESTON, of Virginia, continued from Taylor's administration; resigned July 10, 1850; served to July 22, 1850.

LEWIS WARRINGTON (Captain, U. S. Navy), *ad interim* July 23, 1850, to August 1, 1850.

WILLIAM A. GRAHAM, of North Carolina, nominated and confirmed July 20, 1850; commissioned July 22, 1850; entered upon duties August 2, 1850; resigned June 28, 1852; served to July 25, 1852.

JOHN P. KENNEDY, of Maryland, nominated, confirmed and commissioned July 22, 1852; entered upon duties July 26, 1852; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

THOMAS EWING, of Ohio, continued from Taylor's administration; resigned to take effect July 22, 1850.

JAMES A. PEARCE, of Maryland, nominated and confirmed July 20, 1850; declined.

DANIEL C. GODDARD (Chief Clerk), *ad interim* July 23, 1850, to August 15, 1850.

THOMAS M. T. MCKENNAN, of Pennsylvania, nominated, confirmed and commissioned August 15, 1850; entered upon duties August 16, 1850; served to August 26, 1850, on which day he resigned.

DANIEL C. GODDARD (Chief Clerk), *ad interim* August 27, 1850, to September 15, 1850.

ALEXANDER H. H. STUART, of Virginia, nominated September 11, 1850; confirmed and commissioned September 12, 1850; entered upon duties September 16, 1850; served through remainder of the administration.

**THE ADMINISTRATION
OF
FRANKLIN PIERCE**

March 4, 1853, to March 3, 1857.

154 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE SEVENTEENTH TERM, COMMENCING 4TH
MARCH, 1853, AND TERMINATING 3RD MARCH, 1857.

Number of Electoral Votes.	STATES.	President.		V. President.	
		Franklin Pierce, of New Hampshire.	Winfield Scott, of New Jersey.	William R. King, of Alabama.	William A. Graham, of North Carolina.
8	Maine	8	..	8	..
5	New Hampshire.....	5	..	5	..
13	Massachusetts .....	..	13	..	13
4	R. Island & P. Plantations	4	..	4	..
6	Connecticut.....	6	..	6	..
5	Vermont .....	..	5	..	5
35	New York	35	..	35	..
7	New Jersey.....	7	..	7	..
27	Pennsylvania	27	..	27	..
3	Delaware	3	..	3	..
8	Maryland.....	8	..	8	..
15	Virginia.....	15	..	15	..
10	North Carolina.....	10	..	10	..
8	South Carolina.....	8	..	8	..
10	Georgia	10	..	10	..
12	Kentucky .....	..	12	..	12
12	Tennessee .....	..	12	..	12
23	Ohio.....	23	..	23	..
6	Louisiana.....	6	..	6	..
7	Mississippi	7	..	7	..
13	Indiana.....	13	..	13	..
11	Illinois	11	..	11	..
9	Alabama	9	..	9	..
9	Missouri.....	9	..	9	..
4	Arkansas.....	4	..	4	..
6	Michigan	6	..	6	..
3	Florida	3	..	3	..
4	Texas.....	4	..	4	..
4	Iowa	4	..	4	..
5	Wisconsin	5	..	5	..
4	California	4	..	4	..
296, whole number; necessary to elect, 149.		254	42	254	42
Popular vote.....		1,601,474	1,386,578		
Plurality		214,896			

FRANKLIN PIERCE, New Hampshire.

WILLIAM R. KING, Alabama (Died April 18, 1853).

DAVID R. ATCHISON, Missouri,	} Presidents <i>pro tempore</i> of the Senate.
LEWIS CASS, Michigan,	
JESSE D. BRIGHT, Indiana.	
CHARLES E. STUART, Michigan.	
JAMES M. MASON, Virginia.	

March 4, 1853, to March 3, 1857.

SECRETARY OF STATE.

WILLIAM HUNTER (Chief Clerk), *ad interim* March 4, 1853, to March 7, 1853.

WILLIAM L. MARCY, of New York, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served through remainder of the administration.

SECRETARY OF THE TREASURY.

THOMAS CORWIN, of Ohio, continued from last administration; resigned and served to March 7, 1853.

JAMES GUTHRIE, of Kentucky, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served through remainder of the administration.

SECRETARY OF WAR.

CHARLES M. CONRAD, of Louisiana, continued from last administration; resigned and served to March 7, 1853.

JEFFERSON DAVIS, of Mississippi, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served to March 3, 1857.

SAMUEL COOPER (Adjutant General. U. S. Army), *ad interim* March 3, 1857.

ATTORNEY GENERAL.

JOHN J. CRITTENDEN, of Kentucky, continued from last administration; resigned and served to March 7, 1853.

CALEB CUSHING, of Massachusetts, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served through remainder of the administration.

POSTMASTER GENERAL.

SAMUEL D. HUBBARD, of Connecticut, continued from last administration; resigned and served to March 7, 1853.

JAMES CAMPBELL, of Pennsylvania, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served through remainder of the administration.

SECRETARY OF THE NAVY.

JOHN P. KENNEDY, of Maryland, continued from last administration; resigned and served to March 7, 1853.

JAMES C. DOBBIN, of North Carolina, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

ALEXANDER H. H. STUART, of Virginia, continued from last administration; resigned and served to March 7, 1853.

ROBERT McCLELLAND, of Michigan, nominated, confirmed and commissioned March 7, 1853; entered upon duties March 8, 1853; served through remainder of the administration.

**THE ADMINISTRATION
OF
JAMES BUCHANAN**

March 4, 1857, to March 3, 1861

158 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE EIGHTEENTH TERM, COMMENCING 4TH MARCH,
1857, AND TERMINATING 3RD MARCH, 1861.

Number of Electoral Votes.	STATES.	President.			V. President.		
		James Buchanan, of Pennsylvania.	John C. Fremont, of California.	Millard Fillmore, of New York.	John C. Breckinridge, of Kentucky.	William L. Dayton, of New Jersey.	Andrew J. Donelson, of Tennessee.
8	Maine .....	..	8	..	..	8	..
5	New Hampshire. .	..	5	..	..	5	..
13	Massachusetts .....	..	13	..	..	13	..
4	R. Island and Provi- dence Plantations.	..	4	..	..	4	..
6	Connecticut .....	..	6	..	..	6	..
5	Vermont .....	..	5	..	..	5	..
35	New York .....	..	35	..	..	35	..
7	New Jersey	7	..	..	7	..	..
27	Pennsylvania	27	..	..	27	..	..
3	Delaware	3	..	..	3	..	..
8	Maryland .....	..	..	8	..	..	8
15	Virginia	15	..	..	15	..	..
10	North Carolina	10	..	..	10	..	..
8	South Carolina	8	..	..	8	..	..
10	Georgia	10	..	..	10	..	..
12	Kentucky	12	..	..	12	..	..
12	Tennessee	12	..	..	12	..	..
23	Ohio .....	..	23	..	..	23	..
6	Louisiana	6	..	..	6	..	..
7	Mississippi	7	..	..	7	..	..
13	Indiana	13	..	..	13	..	..
11	Illinois	11	..	..	11	..	..
9	Alabama	9	..	..	9	..	..
9	Missouri	9	..	..	9	..	..
4	Arkansas	4	..	..	4	..	..
6	Michigan .....	..	6	..	..	6	..
3	Florida	3	..	..	3	..	..
4	Texas	4	..	..	4	..	..
4	Iowa .....	..	4	..	..	4	..
5	Wisconsin .....	..	5	..	..	5	..
4	California	4	..	..	4	..	..
296, whole number; necessary to elect, 149.		174	114	8	174	114	8
Popular vote		1,838,169	1,341,264	874,534			
Plurality		496,905					

JAMES BUCHANAN, Pennsylvania.

JOHN C. BRECKINRIDGE, Kentucky.

March 4, 1857, to March 3, 1861.

SECRETARY OF STATE.

WILLIAM L. MARCY, of New York, continued from last administration; resigned March 4, 1857; served to March 6, 1857.

LEWIS CASS, of Michigan, nominated, confirmed and commissioned March 6, 1857; entered upon duties same day; resigned December 12, 1860; served to December 14, 1860.

WILLIAM HUNTER (Chief Clerk), *ad interim* December 15, 1860, to December 16, 1860.

JEREMIAH S. BLACK, of Pennsylvania, nominated December 16, 1860; confirmed and commissioned December 17, 1860; entered upon duties same day; nominated as Associate Justice of the Supreme Court of the United States February 5, 1861; nomination not acted upon by the Senate; resigned March 2, 1861, to take effect March 4, 1861.

SECRETARY OF THE TREASURY.

JAMES GUTHRIE, of Kentucky, continued from last administration; resigned March 4, 1857; served to March 6, 1857.

HOWELL COBB, of Georgia, nominated, confirmed and commissioned March 6, 1857; entered upon duties March 7, 1857; resigned and served to December 8, 1860.

ISAAC TOUCEY, of Connecticut (Secretary of the Navy), *ad interim* December 10, 1860, to December 12, 1860.

PHILIP F. THOMAS, of Maryland, nominated December 10, 1860; confirmed and commissioned December 12, 1860;

entered upon duties December 13, 1860; resigned January 11, 1861; served to January 14, 1861.

JOHN A. DIX, of New York, nominated, confirmed and commissioned January 11, 1861; entered upon duties January 15, 1861; resigned March 2, 1861, to take effect March 4, 1861.

SECRETARY OF WAR.

SAMUEL COOPER (Adjutant General, U. S. Army), *ad interim* from last administration to March 6, 1857.

JOHN B. FLOYD, of Virginia, nominated, confirmed and commissioned March 6, 1857; entered upon duties March 7, 1857; resigned December 29, 1860; served to December 31, 1860.

JOSEPH HOLT, of Kentucky (Postmaster General), *ad interim* January 1, 1861, to January 17, 1861.

JOSEPH HOLT, of Kentucky, nominated January 17, 1861; confirmed and commissioned January 18, 1861; resigned March 2, 1861, to take effect when successor shall be qualified.

ATTORNEY GENERAL.

CALEB CUSHING, of Massachusetts, continued from last administration; resigned March 4, 1857; served to March 10, 1857.

JEREMIAH S. BLACK, of Pennsylvania, nominated, confirmed and commissioned March 6, 1857; entered upon duties March 11, 1857; served to December 19, 1860; commissioned Secretary of State December 17, 1860.

EDWIN M. STANTON, of Pennsylvania, nominated December 19, 1860; confirmed and commissioned December 20, 1860; entered upon duties December 22, 1860; resigned March 2, 1861, to take effect March 4, 1861.

POSTMASTER GENERAL.

JAMES CAMPBELL, of Pennsylvania, continued from last administration; resigned March 4, 1857; served to March 6, 1857.

AARON V. BROWN, of Tennessee, nominated, confirmed and commissioned March 6, 1857; entered upon duties March 7, 1857; died March 8, 1859.

JOSEPH HOLT, of Kentucky, nominated and confirmed March 9, 1859; commissioned March 14, 1859; entered upon duties same day; served to December 31, 1860.

HORATIO KING, of Maine (First Assistant Postmaster General), *ad interim* January 1, 1861, to February 11, 1861.

HORATIO KING, of Maine, nominated February 1, 1861; confirmed and commissioned February 12, 1861; resigned March 2, 1861, to take effect March 4, 1861.

SECRETARY OF THE NAVY.

JAMES C. DODDIN, of North Carolina, continued from last administration; resigned March 4, 1857; served to March 6, 1857.

ISAAC TOUCHY, of Connecticut, nominated, confirmed and commissioned March 6, 1857; entered upon duties March 7, 1857; resigned March 1, 1861; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

ROBERT MCCLELLAND, of Michigan, continued from last administration; resigned March 4, 1857; served to March 9, 1857.

JACOB THOMPSON, of Mississippi, nominated, confirmed and commissioned March 6, 1857; entered upon duties March 10, 1857; resigned January 8, 1861.

MOSES KELLY (Chief Clerk), *ad interim* January 10, 1861, to close of the administration.

**THE ADMINISTRATION
OF
ABRAHAM LINCOLN**

FIRST TERM

March 4, 1861, to March 3, 1865

ELECTION FOR THE NINETEENTH TERM, COMMENCING 4TH MARCH, 1861, AND TERMINATING 3RD MARCH, 1863.

Number of Electoral Votes.	STATES.	President.				Vice President.			
		Abraham Lincoln, of Illinois.	John C. Breckinridge, of Kentucky.	John Bell, of Tennessee.	Stephen A. Douglas, of Illinois.	Hannibal Hamlin, of Maine.	Joseph Lane, of Oregon.	Edward Everett, of Massachusetts.	Herschel V. Johnson, of Georgia.
8	Maine.....	8	..	..	..	8	..	..	..
5	New Hampshire.....	5	..	..	..	5	..	..	..
13	Massachusetts.....	13	..	..	..	13	..	..	..
4	Rhode Island and Providence Plantations.....	4	..	..	..	4	..	..	..
6	Connecticut.....	6	..	..	..	6	..	..	..
5	Vermont.....	5	..	..	..	5	..	..	..
35	New York.....	25	..	..	3	25	..	..	3
7	New Jersey.....	4	..	..	..	4	..	..	..
12	Pennsylvania.....	27	..	..	..	27	..	..	..
3	Delaware.....	3	..	..	..	3	..	..	..
8	Maryland.....	8	..	..	..	8	..	..	..
15	Virginia.....	..	..	15	..	..	..	15	..
10	North Carolina.....	..	10	..	..	..	10	..	..
8	South Carolina.....	..	8	..	..	..	8	..	..
10	Georgia.....	..	10	..	..	..	10	..	..
12	Kentucky.....	..	..	12	..	..	..	12	..
12	Tennessee.....	..	..	12	..	..	..	12	..
23	Ohio.....	23	..	..	..	23	..	..	..
6	Louisiana.....	..	6	..	..	..	6	..	..
7	Mississippi.....	..	7	..	..	..	7	..	..
13	Indiana.....	13	..	..	..	13	..	..	..
11	Illinois.....	11	..	..	..	11	..	..	..
9	Alabama.....	..	9	..	9	..	9	..	9
9	Missouri.....	..	..	..	..	..	..	..	..
4	Arkansas.....	..	4	..	..	6	4	..	..
6	Michigan.....	6	..	..	..	..	..	..	..
3	Florida.....	..	3	..	..	..	3	..	..
4	Texas.....	..	4	..	..	..	4	..	..
4	Iowa.....	4	..	..	..	4	..	..	..
5	Wisconsin.....	5	..	..	..	5	..	..	..
5	California.....	4	..	..	..	4	..	..	..
4	Minnesota.....	4	..	..	..	4	..	..	..
3	Oregon.....	3	..	..	..	3	..	..	..
303, whole number; necessary to elect, 152.		180	72	30	12	180	72	30	12
Popular vote.....		1,896,352	847,514	587,890	1,375,157				
Plurality.....		401,195							

ABRAHAM LINCOLN, Illinois.

HANNIBAL HAMLIN, Maine.

March 4, 1861, to March 3, 1865.

SECRETARY OF STATE.

JEREMIAH S. BLACK, of Pennsylvania, continued from last administration; resigned; served to March 6, 1861.

WILLIAM H. SEWARD, of New York, nominated, confirmed and commissioned March 5, 1861; entered upon duties March 6, 1861; served through remainder of the administration.

SECRETARY OF THE TREASURY.

JOHN A. DIX, of New York, continued from last administration; resigned, and served to March 6, 1861.

SALMON P. CHASE, of Ohio, nominated, confirmed and commissioned March 5, 1861; entered upon duties March 7, 1861; resigned June 29, 1864; served to June 30, 1864.

DAVID TOD, of Ohio, nominated June 30, 1864; declined and nomination withdrawn July 1, 1864.

GEORGE HARRINGTON, of the District of Columbia (Assistant Secretary), *ad interim* July 1, 1864, to July 4, 1864.

WILLIAM P. FESSENDEN, of Maine, nominated, confirmed and commissioned July 1, 1864; entered upon duties July 5, 1864; resigned February 6, 1865, to take effect March 3, 1865.

EDWIN D. MORGAN, of New York, nominated February 13, 1865, to take effect March 3, 1865; declined, and nomination withdrawn February 13, 1865.

SECRETARY OF WAR.

JOSEPH HOLT, of Kentucky, continued from last administration; resigned, and served to March 10, 1861.

SIMON CAMERON, of Pennsylvania, nominated, confirmed and commissioned March 5, 1861; entered upon duties March 11, 1861; resigned January 11, 1862; served to January 19, 1862; appointed Envoy Extraordinary and Minister Plenipotentiary to Russia January 17, 1862.

EDWIN M. STANTON, of Pennsylvania, nominated January 13, 1862; confirmed and commissioned January 15, 1862; entered upon duties January 20, 1862; served through remainder of the administration.

ATTORNEY GENERAL.

EDWIN M. STANTON, of Pennsylvania, continued from last administration; resigned, and served to March 5, 1861.

EDWARD BATES, of Missouri, nominated, confirmed and commissioned March 5, 1861; entered upon duties March 6, 1861; resigned November 24, 1864, to take effect November 30, 1864.

JOSEPH HOLT, of Kentucky, commissioned (recess of the Senate) December 1, 1864; declined.

JAMES SPEED, of Kentucky, commissioned (recess of the Senate) December 2, 1864; entered upon duties December 5, 1864; nominated December 5, 1864; confirmed and recommissioned December 12, 1864; served through remainder of the administration.

POSTMASTER GENERAL.

HORATIO KING, of Maine, continued from last administration; resigned, and served to March 9, 1861.

MONTGOMERY BLAIR, of the District of Columbia, nominated, confirmed and commissioned March 5, 1861; entered upon duties March 9, 1861; resigned September 23, 1864; served to September 30, 1864.

WILLIAM DENNISON, of Ohio, commissioned (recess of the Senate) September 24, 1864; entered upon duties October 1, 1864; nominated December 5, 1864; confirmed and recommissioned December 8, 1864; served through remainder of the administration.

SECRETARY OF THE NAVY.

ISAAC TOUCEY, of Connecticut, continued from last administration; resigned, and served to March 6, 1861.

GIDEON WELLES, of Connecticut, nominated, confirmed and commissioned March 5, 1861; entered upon duties March 7, 1861; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

MOSES KELLY (Chief Clerk), *ad interim* from last administration to March 4, 1861.

CALEB B. SMITH, of Indiana, nominated, confirmed and commissioned March 5, 1861; entered upon duties same day; served to December 31, 1862; resigned to accept Circuit Court Judgeship for Indiana.

JOHN P. USHER, of Indiana (Assistant Secretary), *ad interim* January 1, 1863, to January 10, 1863.

JOHN P. USHER, of Indiana, nominated January 5, 1863; confirmed and commissioned January 8, 1863; qualified January 10, 1863; served through remainder of the administration.

[United States Statutes at Large, Vol. 12, p. 656.]

Chap. XLV.—*An Act temporarily to supply Vacancies in the Executive Departments in Certain Cases.* Feb. 20, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Vacancies in Executive Departments, how filled. in case of the death, resignation, absence from the seat of Government, or sickness, of the head of any Executive Department of the Government, or of any officer of either of the said Departments whose appointment is not in the head thereof, whereby they cannot perform the duties of their respective offices, it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize the head of any other Executive Department, or other officer in either of said Departments, whose ap-

pointment is vested in the President, at his discretion, to perform the duties of the said respective offices until a successor be appointed, or until such absence or inability by sickness shall cease: *Provided*, That no one vacancy shall be supplied in manner aforesaid for a longer term than six months.

Repealing clause. Sec. 2. *And be it further enacted*, That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved, February 20, 1863.

**THE ADMINISTRATION
OF
ABRAHAM LINCOLN**

SECOND TERM

March 4, 1865, to April 15, 1865

170 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTIETH TERM, COMMENCING 4TH MARCH,
1885, AND TERMINATING 3RD MARCH, 1890.

Number of Electoral Votes.	STATES.	President.		Vice President.	
		Abraham Lincoln, of Illinois.	George B. McClellan, of New Jersey.	Andrew Johnson, of Tennessee.	George H. Pendleton, of Ohio.
7	Maine.....	7	..	7	..
5	New Hampshire.....	5	..	5	..
12	Massachusetts.....	12	..	12	..
4	Rhode Island.....	4	..	4	..
6	Connecticut.....	6	..	6	..
5	Vermont.....	5	..	5	..
33	New York.....	33	..	33	..
7	New Jersey.....	..	7	..	7
26	Pennsylvania.....	26	..	26	..
3	Delaware.....	..	3	..	3
7	Maryland.....	7	..	7	..
..	Virginia.....	..	..	..	..
..	North Carolina.....	..	..	..	..
..	South Carolina.....	..	..	..	..
..	Georgia.....	..	..	..	..
11	Kentucky.....	..	11	..	11
..	Tennessee.....	..	..	..	..
21	Ohio.....	21	..	21	..
..	Louisiana.....	..	..	..	..
..	Mississippi.....	..	..	..	..
13	Indiana.....	13	..	13	..
16	Illinois.....	16	..	16	..
..	Alabama.....	..	..	..	..
11	Missouri.....	11	..	11	..
..	Arkansas.....	..	..	..	..
8	Michigan.....	8	..	8	..
..	Florida.....	..	..	..	..
..	Texas.....	..	..	..	..
8	Iowa.....	8	..	8	..
8	Wisconsin.....	8	..	8	..
5	California.....	5	..	5	..
4	Minnesota.....	4	..	4	..
3	Oregon.....	3	..	3	..
3	Kansas.....	3	..	3	..
5	West Virginia.....	5	..	5	..
2	Nevada.....	2	..	2	..
233, whole number; necessary to elect, 117.		212	21	212	21
Popular vote.....		2,216,067	1,808,725		
Plurality.....		407,342			

ABRAHAM LINCOLN, Illinois (Died April 15, 1865).

ANDREW JOHNSON, Tennessee.

March 4, 1865, to April 15, 1865.

SECRETARY OF STATE.

WILLIAM H. SEWARD, of New York, continued from last administration; served through remainder of Lincoln's administration.

SECRETARY OF THE TREASURY.

GEORGE HARRINGTON, of the District of Columbia (Assistant Secretary) *ad interim* March 4, 1865, to March 8, 1865.

HUGH McCULLOCH, of Indiana, nominated March 6, 1865; confirmed and commissioned March 7, 1865; entered upon duties March 9, 1865; served through remainder of Lincoln's administration.

SECRETARY OF WAR.

EDWIN M. STANTON, of Pennsylvania, continued from last administration; served through remainder of Lincoln's administration.

ATTORNEY GENERAL.

JAMES SPEED, of Kentucky, continued from last administration; served through remainder of Lincoln's administration.

POSTMASTER GENERAL.

WILLIAM DENNISON, of Ohio, continued from last administration; served through remainder of Lincoln's administration.

SECRETARY OF THE NAVY.

GIDEON WELLES, of Connecticut, continued from last administration; served through remainder of Lincoln's administration.

SECRETARY OF THE INTERIOR.

JOHN P. USHER, of Indiana, continued from last administration; resigned March 8, 1865; accepted "to take effect May 15, 1865"; served through remainder of Lincoln's administration.

JAMES HARLAN, of Iowa, nominated March 9, 1865, to take effect May 15, 1865; confirmed March 9, 1865. (See next administration.)

**THE ADMINISTRATION
OF
ANDREW JOHNSON**

April 15, 1865, to March 3, 1869

[Miscellaneous Letters to Department of State.]

Washington City, D. C.

Sir:

April 15, 1865.

Abraham Lincoln, President of the United States, was shot by an assassin last evening at Ford's Theater in this city and died at the hour of 22 minutes after seven o'clock.

About the same time at which the President was shot, an assassin entered the sick chamber of the Hon. Wm. H. Seward, Secretary of State, and stabbed him in several places, in the throat, neck, and face severely if not mortally wounding him. Other members of the Secretary's family were dangerously wounded by the assassin while making his escape.

By the death of President Lincoln, the office of President has devolved under the constitution upon you. The emergency of the government demands that you should immediately qualify, according to the requirements of the constitution, and enter upon the duties of President of the United States. If you will please make known your pleasure, such arrangements as you deem proper will be made.

Your obedient servants,

HUGH McCULLOCH, Secretary of the Treasury.

EDWIN M. STANTON, Secretary of War.

GIDEON WELLES, Secretary of the Navy.

W. DENNISON, Postmaster General.

J. P. USHER, Secretary of the Interior.

JAMES SPEED, Attorney General.

To ANDREW JOHNSON,

Vice President of the United States.

[The National Intelligencer, April 17, 1865.]

Mr. Johnson responded that it would be agreeable to him to qualify himself for the high office to which he had been so unexpectedly called, under such melancholy circumstances, at his rooms at the Kirkwood Hotel, and at 11 o'clock A. M. the oath of office was administered to him

by Chief Justice Chase, of the Supreme Court of the United States, in the presence of nearly all the Cabinet officers, the Hon. Solomon Foot, United States Senator from Vermont; the Hon. Alexander Ramsey, United States Senator from Minnesota; the Hon. Richard Yates, United States Senator from Illinois; the Hon. John P. Hale, late Senator from New Hampshire, who has lately been appointed ambassador to the court of Madrid; General Farnsworth of the House of Representatives, from Illinois; F. P. Blair, Sr., Esq.; Hon. Montgomery Blair, late Postmaster General, and some others.

The President said:

"Gentlemen: I must be permitted to remark that I have been almost overwhelmed by the announcement of the solemn event that has occurred; and I feel the heavy responsibilities which I have just undertaken. At such a time as this I may not be expected to give any exposition of the policy that will be pursued in the administration of the Government. My acts through a series of years will indicate with sufficient clearness the principles by which I shall be governed. My past history, in connection with the rebellion by which the whole land has been afflicted, will foreshadow what my future course will be. I shall be governed by the great principles of human rights, on which is based free republican government. To the maintenance of those principles I have devoted my best energies. My life, as a public servant, has been a laborious one. Duties have been mine; consequences have been God's. The correctness of my acts will be subjected to an enlightened and just public judgment, and I shall enter upon the discharge of my duties with a fixed and unalterable determination to carry out the first principles of the Government, and to assist it in the great effort that is now being made to place freedom upon a more enduring basis than that on which it has heretofore stood. I shall look to you, gentlemen, and to others, for encouragement, and for counsel, and for support, in the faithful discharge of my duties as the Executive of the United States."

I do solemnly swear that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect and defend the Constitution of the United States.

ANDREW JOHNSON.

I, Salmon P. Chase, Chief Justice of the Supreme Court of the United States, hereby certify that on this fifteenth day of April, Eighteen hundred & sixty five, at the City of Washington in the District of Columbia, personally appeared Andrew Johnson, Vice President, upon whom by the death of Abraham Lincoln, late President, the duties of the office of President of the United States have devolved, & took & subscribed the oath of office above set forth.

SALMON P. CHASE,
C. J. S. C. U. S.

ANDREW JOHNSON, Tennessee.

LAFAYETTE S. FOSTER, Connecticut. } Presidents *pro tempore*
BENJAMIN F. WADE, Ohio. } of the Senate.

April 15, 1865, to March 3, 1869.

SECRETARY OF STATE.

WILLIAM H. SEWARD, of New York, continued from Lincoln's administration; resigned March 3, 1869.

SECRETARY OF THE TREASURY.

HUGH McCULLOCH, of Indiana, continued from Lincoln's administration; resigned March 3, 1869.

SECRETARY OF WAR.

EDWIN M. STANTON, of Pennsylvania, continued from Lincoln's administration; suspended August 12, 1867.

ULYSSES S. GRANT (General of the Army), *ad interim* August 12, 1867, to January 13, 1868.

EDWIN M. STANTON, of Pennsylvania, resumed charge January 14, 1868, under a resolution of the Senate of January 13, 1868, refusing to concur in his suspension. Removed by the President February 21, 1868. The Senate sustained his refusal to resign, and he continued until May 26, 1868, after the failure of the impeachment, when he "relinquished the office," turning over the records, etc., to Brevet Major General Townsend.

LORENZO THOMAS (Adjutant General, U. S. Army), designated Secretary of War *ad interim* February 21, 1868. Stanton refused to recognize him, and continued in actual charge.

THOMAS EWING, SR., of Ohio, nominated February 22, 1868; not acted upon.

JOHN M. SCHOFIELD, nominated April 23, 1868; confirmed and commissioned May 28, 1868; entered upon duties June 1, 1868; served through remainder of the administration.

ATTORNEY GENERAL.

JAMES SPEED, of Kentucky, continued from Lincoln's administration; resigned July 16, 1866.

J. HUBLEY ASHTON, of Pennsylvania (Assistant Attorney General), *acting* July 17, 1866, to July 24, 1866.

HENRY STANBERRY, of Ohio, nominated July 20, 1866; confirmed and commissioned July 23, 1866; entered upon duties July 24, 1866; resigned March 11, 1868; served to March 12, 1868.

ORVILLE H. BROWNING, of Illinois (Secretary of the Interior), *ad interim* March 13, 1868, to July 19, 1868.

HENRY STANBERRY, of Ohio, nominated May 27, 1868; rejected June 2, 1868.

WILLIAM M. EVARTS, of New York, nominated June 22, 1868; confirmed and commissioned July 15, 1868; entered upon duties July 20, 1868; resigned March 3, 1869.

POSTMASTER GENERAL.

WILLIAM DENNISON, of Ohio, continued from Lincoln's administration; resigned July 11, 1866; served to July 16, 1866.

ALEXANDER W. RANDALL, of Wisconsin (First Assistant Postmaster General), *ad interim* July 17, 1866, to July 24, 1866.

ALEXANDER W. RANDALL, of Wisconsin, nominated July 14, 1866; confirmed and commissioned July 25, 1866; qualified same day; resigned March 1, 1869, to take effect March 4, 1869.

SECRETARY OF THE NAVY.

GIDEON WELLES, of Connecticut, continued from Lincoln's administration; resigned March 3, 1869.

SECRETARY OF THE INTERIOR.

JOHN P. USHER, of Indiana, continued from Lincoln's administration; resigned, and served to May 15, 1865.

JAMES HARLAN, of Iowa (nominated March 9, 1865, to take effect May 15, 1865; confirmed March 9, 1865;) commissioned May 15, 1865; entered upon duties May 16, 1865; resigned July 27, 1866, to take effect September 1, 1866; served to August 31, 1866.

ORVILLE H. BROWNING, of Illinois, nominated, confirmed and commissioned July 27, 1866, to take effect September 1, 1866; entered upon duties September 1, 1866; resigned March 3, 1869.

[United States Statutes at Large, Vol. 14, p. 430.]

Chap. CLIV.—*An Act regulating the Tenure of certain Civil Offices.* March 2, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and every person who shall hereafter be appointed to any such office, and shall become duly qualified to act therein, is, and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided: *Provided,* That the Secretaries of State, of the Treasury, of War, of the Navy, and of the Interior, the Postmaster-General, and the Attorney General, shall hold their offices respectively for and during the term of the President by whom they may have been appointed and for one month thereafter, subject to removal by and with the advice and consent of the Senate.

Persons holding or appointed to any civil office, to hold the same until, &c.

The Secretaries of the several departments to hold office for, &c. Subject to removal.

Sec. 2. *And be it further enacted,* That when any officer appointed as aforesaid, excepting judges of the United States courts, shall, during a recess of the Senate, be shown, by evidence satisfactory to the President, to be guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such

When civil officers, except, &c. shall become disqualified, &c. the President may suspend them and appoint persons temporarily to such offices.

case, and in no other, the President may suspend such officer and designate some suitable person to perform temporarily the duties of such office until the next meeting of the Senate, and until the case shall be acted upon by the Senate, and such person so designated shall take the oath and give the bonds required by law to be taken and given by the person duly appointed to fill such office; and in such case it shall be the duty of the President, within twenty days after the first day of such next meeting of the Senate, to report to the Senate such suspension, with the evidence and reasons for his action in the case, and the name of the person so designated to perform the duties of such office. And if the Senate shall concur in such suspension and advise and consent to the removal of such officer, they shall so certify to the President, who may thereupon remove such officer, and, by and with the advice and consent of the Senate, appoint another person to such office. But if the Senate shall refuse to concur in such suspension, such officer so suspended shall forthwith resume the functions of his office, and the powers of the person so performing its duties in his stead shall cease, and the official salary and emoluments of such officer shall, during such suspension, belong to the person so performing the duties thereof, and not to the officer so suspended: *Provided, however,* That the President, in case he shall become satisfied that such suspension was made on insufficient grounds, shall be authorized, at any time before reporting such suspension to the Senate as above provided, to revoke such suspension and reinstate such officer in the performance of the duties of his office.

Such persons to take the oaths and give the bonds.

The President to report such suspensions and appointments to the Senate.

If Senate concurs, the President may remove the officer and appoint successor.

If Senate does not concur, the suspended officer resumes his office.

Provisions as to salary, &c. during the suspension.

Proviso.

Suspension may be revoked and officer reinstated, if, &c.

Vacancies happening during the recess of the Senate, how to be filled.

When office to remain in abeyance.

Sec. 3. *And be it further enacted,* That the President shall have power to fill all vacancies which may happen during the recess of the Senate, by reason of death or resignation, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, shall be made to such office so vacant or temporarily filled as aforesaid during such next session of the Senate, such office shall remain in abeyance, without any salary, fees, or emoluments

attached thereto, until the same shall be filled by appointment thereto, by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

Powers of office during such period, to be exercised by whom.

Sec. 4. *And be it further enacted*, That nothing in this act contained shall be construed to extend the term of any office the duration of which is limited by law.

No term of office extended by this act.

Sec. 5. *And be it further enacted*, That if any person shall, contrary to the provisions of this act, accept any appointment to or employment in any office, or shall hold or exercise or attempt to hold or exercise, any such office or employment, he shall be deemed, and is hereby declared to be, guilty of a high misdemeanor, and, upon trial and conviction thereof, he shall be punished therefor by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the court.

Penalty for accepting or exercising office contrary to this act.

Sec. 6. *And be it further enacted*, That every removal, appointment, or employment, made, had, or exercised, contrary to the provisions of this act, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed, and are hereby declared to be, high misdemeanors, and, upon trial and conviction thereof, every person guilty thereof shall be punished by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the court: *Provided*, That the President shall have power to make out and deliver, after the adjournment of the Senate, commissions for all officers whose appointment shall have been advised and consented to by the Senate.

The removal, or employment, or appointment, or issuing, &c. of a commission, &c. of any person contrary to this act, made a high misdemeanor, and penalty therefor.

Provide.

Sec. 7. *And be it further enacted*, That it shall be the duty of the Secretary of the Senate, at the close of each session thereof, to deliver to the Secretary of the Treasury, and to each of his assistants, and to each of the auditors, and to each of the comptrollers in the treasury, and to the treas-

Secretary of Senate at the end of each session to furnish lists of nominations and rejections, &c.

urer, and to the register of the treasury, a full and complete list, duly certified, of all the persons who shall have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations shall have been made and not confirmed and filled at such session.

The President to notify the Secretary of the Treasury when he has made an appointment to office without the consent of the Senate.

Duty of the Secretary in such case.

Money not to be paid to, or received by, any person contrary to this act.

No claim or account, &c. for such payment, to be approved, &c.

Violations of this section declared high misdemeanors, and penalty therefor.

Sec. 8. *And be it further enacted*, That whenever the President shall, without the advice and consent of the Senate, designate, authorize, or employ any person to perform the duties of any office, he shall forthwith notify the Secretary of the Treasury thereof; and it shall be the duty of the Secretary of the Treasury thereupon to communicate such notice to all the proper accounting and disbursing officers of his department.

Sec. 9. *And be it further enacted*, That no money shall be paid or received from the treasury, or paid or received from or retained out of any public moneys or funds of the United States, whether in the treasury or not, to or by or for the benefit of any person appointed to or authorized to act in or holding or exercising the duties or functions of any office contrary to the provisions of this act; nor shall any claim, account, voucher, order, certificate, warrant, or other instrument providing for or relating to such payment, receipt, or retention, be presented, passed, allowed, approved, certified, or paid by any officer of the United States, or by any person exercising the functions or performing the duties of any office or place of trust under the United States, for or in respect to such office, or the exercising or performing the functions or duties thereof; and every person who shall violate any of the provisions of this section shall be deemed guilty of a high misdemeanor, and, upon trial and conviction thereof, shall be punished therefor by a fine not exceeding ten thousand dollars, or by imprisonment not exceeding ten years, or both said punishments, in the discretion of the court.

SCHUYLER COLFAX,

Speaker of the House of Representatives.

LAFAYETTE S. FOSTER,

President of the Senate, pro tempore.

In the Senate of the United States,
March 2, 1867.

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act regulating the tenure of certain civil offices," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

J. W. FORNEY,
Secretary of the Senate.

In the House of Representatives, U. S.
March 2, 1867.

The House of Representatives having proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act regulating the tenure of certain civil offices," returned to the Senate by the President of the United States, with his objections, and sent by the Senate to the House of Representatives, with the message of the President returning the bill:

Resolved, That the bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

EDWD. MCPHERSON,
Clerk.

[United States Statutes at Large, Vol. 15, p. 168.]

Chap. CCXXVII.—*An Act to authorize the temporary* July 23, 1868.
Supplying of Vacancies in the Executive Departments.

Be it enacted by the Senate and House of Representatives In case of the death, absence, &c. of head of any executive department, who to perform the duties;
of the United States of America in Congress assembled, That
in case of the death, resignation, absence, or sickness of the head of any executive department of the government, the first or sole assistant thereof shall, unless otherwise directed by the President of the United States, as is hereinafter provided, perform the duties of such head until a successor be appointed, or such absence or sickness shall cease.

Sec. 2. *And be it further enacted,*

* * * * *

No appointment to be made except to fill a vacancy happening during a recess of the Senate. And no appointment, designation, or assignment otherwise than as is herein provided, in the cases mentioned in the first, second, and third sections of this act, shall be made except to fill a vacancy happening during the recess of the Senate.

Head of other executive department, &c. may be directed to perform duties; Sec. 3. *And be it further enacted,* That in any of the cases hereinbefore mentioned it shall be lawful for the President of the United States, in his discretion, to authorize and direct the head of any other executive department or other officer in either of those departments, whose appointment is, by and with the advice and consent of the Senate, vested in the President, to perform the duties of the office vacant as aforesaid until a successor be appointed, or the sickness or absence of the incumbent shall cease: *Provided,* That nothing in this act shall authorize the supplying as aforesaid a vacancy for a longer period than ten days when such vacancy shall be occasioned by death or resignation, and the officer so performing the duties of the office temporarily vacant shall not be entitled to extra compensation therefor: * *

but for not more than ten days, &c.

* * * * *

Repeal of inconsistent laws. Sec. 4. *And be it further enacted,* That all acts heretofore passed on the subject of temporarily supplying vacancies in the executive departments, or which empower the President to authorize any person or persons to perform the duties of the head of any executive department, or of any officer in either of the departments, in case of a vacancy therein or inability of such head of a department or officer to discharge the duties of his office, and all laws inconsistent with the provisions of this act, be, and the same are hereby, repealed.

Approved, July 23, 1868.

Article XIV. of the Amendments to the Constitution of the United States.

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens

of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or

rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

NOTE.—The Fourteenth Amendment was declared to be a part of the Constitution of the United States by a concurrent resolution of Congress of July 21, 1868, and by proclamation of the Secretary of State, dated July 28, 1868.

**THE ADMINISTRATION
OF
ULYSSES S. GRANT**

FIRST TERM

March 4, 1869, to March 3, 1873

ELECTION FOR THE TWENTY-FIRST TERM, COMMENCING 4TH
MARCH, 1869, AND TERMINATING 3RD MARCH, 1873.

Number of Electoral Votes.	STATES.	President.		Vice President.	
		U. S. Grant, of Illinois.	Horatio Seymour, of New York.	Schuyler Colfax, of Indiana.	F. P. Blair, Jr., of Missouri.
7	Maine.....	7	..	7	..
5	New Hampshire.....	5	..	5	..
12	Massachusetts.....	12	..	12	..
4	Rhode Island.....	4	..	4	..
6	Connecticut.....	6	..	6	..
5	Vermont.....	5	..	5	..
33	New York.....	..	33	..	33
7	New Jersey.....	..	7	..	7
26	Pennsylvania.....	26	..	26	..
3	Delaware.....	..	3	..	3
7	Maryland.....	..	7	..	7
..	Virginia.....	..	..	..	..
9	North Carolina.....	9	..	9	..
6	South Carolina.....	6	..	6	..
11	Kentucky.....	..	11	..	11
10	Tennessee.....	10	..	10	..
21	Ohio.....	21	..	21	..
7	Louisiana.....	..	7	..	7
..	Mississippi.....	..	..	..	..
13	Indiana.....	13	..	13	..
16	Illinois.....	16	..	16	..
8	Alabama.....	8	..	8	..
11	Missouri.....	11	..	11	..
5	Arkansas.....	5	..	5	..
8	Michigan.....	8	..	8	..
3	Florida.....	3	..	3	..
..	Texas.....	..	..	..	..
8	Iowa.....	8	..	8	..
8	Wisconsin.....	8	..	8	..
5	California.....	5	..	5	..
4	Minnesota.....	4	..	4	..
3	Oregon.....	..	3	..	3
3	Kansas.....	3	..	3	..
5	West Virginia.....	5	..	5	..
3	Nevada.....	3	..	3	..
3	Nebraska.....	3	..	3	..
285	Whole number of electors, excluding Georgia.....	214	71	214	71
9	Georgia.....	..	9	..	3
294	whole number; necessary to elect, 148.	214	80	214	80
Popular vote.....		3,015,071	2,709,615		
Plurality.....		305,456			

ULYSSES S. GRANT, Illinois.

SCHUYLER COLFAX, Indiana.

March 4, 1869, to March 3, 1873.

SECRETARY OF STATE.

WILLIAM H. SEWARD, of New York, continued from last administration; resigned, and served to March 4, 1869.

ELIHU B. WASHBURNE, of Illinois, nominated, confirmed and commissioned March 5, 1869; entered upon duties same day; resigned March 10, 1869; served to March 16, 1869; appointed Envoy Extraordinary and Minister Plenipotentiary to France March 17, 1869.

HAMILTON FISH, of New York, nominated, confirmed and commissioned March 11, 1869; entered upon duties March 17, 1869; served through remainder of the administration.

SECRETARY OF THE TREASURY.

HUGH McCULLOCH, of Indiana, continued from last administration; resigned, and served to March 4, 1869.

ALEXANDER T. STEWART, of New York, nominated and confirmed March 5, 1869; declined March 9, 1869; ineligible (Act of September 2, 1789).

JOHN F. HARTLEY, of Maine (Assistant Secretary), *ad interim* March 5, 1869, to March 11, 1869.

GEORGE S. BOUTWELL, of Massachusetts, nominated, confirmed and commissioned March 11, 1869; entered upon duties March 12, 1869; served through remainder of the administration.

SECRETARY OF WAR.

JOHN M. SCHOFIELD, continued from last administration; appointed Major General, U. S. Army, March 4, 1869; continued as Secretary of War to March 12, 1869.

JOHN A. RAWLINS, of Illinois, nominated, confirmed and commissioned March 11, 1869; entered upon duties March 12, 1869; died September 6, 1869.

WILLIAM T. SHERMAN, of Ohio, commissioned (recess of the Senate) September 9, 1869; entered upon duties September 11, 1869; resigned October 18, 1869; served to October 31, 1869.

WILLIAM W. BELKNAP, of Iowa, commissioned (recess of the Senate) October 25, 1869; entered upon duties November 1, 1869; nominated December 6, 1869; confirmed and recommissioned December 8, 1869; served through remainder of the administration.

ATTORNEY GENERAL.

WILLIAM M. EVARTS, of New York, continued from last administration; resigned, and served to March 4, 1869.

J. HUBLEY ASHTON, of Pennsylvania (Assistant Attorney General), *acting* March 5, 1869, to March 10, 1869.

EBENEZER R. HOAR, of Massachusetts, nominated, confirmed and commissioned March 5, 1869; entered upon duties March 11, 1869; resigned, and served to July 7, 1870.

AMOS T. AKERMAN, of Georgia, nominated June 16, 1870: confirmed and commissioned June 23, 1870; entered upon duties July 8, 1870; resigned, and served to January 9, 1872.

GEORGE H. WILLIAMS, of Oregon, nominated, confirmed and commissioned December 14, 1871, to take effect January 10, 1872; entered upon duties January 10, 1872; served through remainder of the administration.

POSTMASTER GENERAL.

ST. JOHN B. L. SKINNER, of New York (First Assistant Postmaster General), *ad interim* March 4, 1869, to March 5, 1869.

JOHN A. J. CRESWELL, of Maryland, nominated, confirmed and commissioned March 5, 1869; entered upon duties March 6, 1869; served through remainder of the administration.

SECRETARY OF THE NAVY.

WILLIAM FAXON, of Connecticut (Assistant Secretary), *ad interim* March 4, 1869, to March 8, 1869.

ADOLPH E. BORIE, of Pennsylvania, nominated, confirmed and commissioned March 5, 1869; entered upon duties March 9, 1869; served to June 25, 1869; resigned June 25, 1869.

GEORGE M. ROBESON, of New Jersey, commissioned (recess of the Senate) June 25, 1869; entered upon duties same day; nominated December 6, 1869; confirmed and re-commissioned December 8, 1869; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

WILLIAM T. OTTO, of Indiana (Assistant Secretary), *ad interim* March 4, 1869, to March 8, 1869.

JACOB D. COX, of Ohio, nominated, confirmed and commissioned March 5, 1869; entered upon duties March 9, 1869; resigned and served to October 31, 1870.

COLUMBUS DELANO, of Ohio, commissioned (recess of the Senate) November 1, 1870; entered upon duties same day; nominated December 6, 1870; confirmed and re-commissioned December 8, 1870; served through remainder of the administration.

[United States Statutes at Large, Vol. 16, p. 6.]

Chap. X.—*An Act to amend "An Act regulating the Tenure of certain civil Offices."* April 5, 1869.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first and second sections of an act entitled "An act regulating the tenure of certain civil offices," passed March two, eighteen hundred and sixty-seven, be, and the same are hereby, repealed; and in lieu of said repealed sections the following are hereby enacted:

1867, ch. 154, Vol. xiv, p. 430
First and second sections of the act of 1867, ch. 154, repealed.

Persons holding civil offices by consent of Senate, to hold for the term of their appointment, unless, &c. That every person holding any civil office to which he has been or hereafter may be appointed by and with the advice and consent of the Senate, and who shall have become duly qualified to act therein, shall be entitled to hold such office during the term for which he shall have been appointed, unless sooner removed by and with the advice and consent of the Senate, or by the appointment, with the like advice and consent, of a successor in his place, except as herein otherwise provided.

President, during recess of Senate, may suspend any civil officer, except, &c. until &c. and designate another to do his duties. Sec. 2. *And be it further enacted,* That during any recess of the Senate the President is hereby empowered, in his discretion, to suspend any civil officer appointed by and with the advice and consent of the Senate, except judges of the United States courts, until the end of the next session of the Senate, and to designate some suitable person, subject to be removed in his discretion by the designation of another, to perform the duties of such suspended officer in the mean

Persons designated to give bonds and take oath, &c. time; and such person so designated shall take the oaths and give the bonds required by law to be taken and given by the suspended officer, and shall, during the time he performs his duties, be entitled to the salary and emoluments of such office, no part of which shall belong to the officer

President to nominate to fill vacancies within thirty days after commencement of each session of Senate. suspended; and it shall be the duty of the President within thirty days after the commencement of each session of the Senate, except for any office which in his opinion ought not to be filled, to nominate persons to fill all vacancies in office which existed at the meeting of the Senate, whether temporarily filled or not, and also in the place of all officers

Proceedings if Senate refuse to confirm. suspended; and if the Senate during such session shall refuse to advise and consent to an appointment in the place of any suspended officer, then, and not otherwise, the President shall nominate another person as soon as practicable to said session of the Senate for said office.

Vacancies happening during recess, from death, resignation, &c. may be filled by President. Sec. 3. *And be it further enacted,* That section three of the act to which this is an amendment be amended by inserting after the word "resignation," in line three of said section, the following: "or expiration of term of office."

Approved, April 5, 1869.

Article XV. of the Amendments to the Constitution of the United States.

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

NOTE.—The Fifteenth Amendment was declared to be a part of the Constitution of the United States by proclamation of the Secretary of State, dated March 30, 1870.

[United States Statutes at Large, Vol. 16, p. 162.]

Chap. CL. *An Act to establish the Department of Justice.* June 22, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and is hereby, established an executive department of the government of the United States, to be called the Department of Justice, of which the Attorney-General shall be the head. His duties, salary, and tenure of office shall remain as now fixed by law, except so far as they may be modified by this act.

Department of Justice established.

Attorney-General to be the head.

Sec. 2. *And be it further enacted,* That there shall be in said Department an officer learned in the law, to assist the Attorney-General in the performance of his duties, to be called the solicitor-general, and who, in case of a vacancy in the office of Attorney-General, or in his absence or disability, shall have power to exercise all the duties of that office. There shall also be continued in said Department the two other officers, learned in the law, called the assistants of the Attorney-General, whose duty it shall be to assist the Attorney-General and solicitor-general in the performance of their duties, as now required by law.

Office of solicitor-general established;

of assistants of the Attorney-General.

1871, ch. 72.

Post, p. 432.

Sec. 3. *And be it further enacted,* That from and after the time when this act takes effect, the solicitor of the treasury and his assistants, the solicitor of internal revenue, the solicitor and naval judge advocate general, who shall

Law officers of other departments, their clerks, &c., to be transferred to Department of Justice and continue under its control.

hereafter be known as the naval solicitor, and the clerks, messengers, and laborers employed in the office of the Attorney-General, and in the offices of the solicitor of the treasury, naval solicitor, and solicitor of internal revenue, and the law officer in the Department of State, now designated as the examiner of claims in said Department, shall be transferred from the Departments with which they are now associated to the Department of Justice; and said officers shall exercise their functions under the supervision and control of the head of the Department of Justice.

Questions of law submitted to the Attorney-General, except, &c. may be referred to subordinates, &c. Sec. 4. *And be it further enacted,* That questions of law submitted to the Attorney-General for his opinion, except questions involving a construction of the Constitution of the United States, may be by him referred to such of his subordinates as he may deem appropriate, and he may require the written

Effect of their opinions indorsed by Attorney-General. opinion thereon of the officer to whom the same may be referred; and if the opinion given by such officer shall be approved by the Attorney-General, such approval so endorsed thereon shall give the opinion the same force and effect as belong to the opinions of the Attorney-General.

Cases in the court of claims and Supreme Court of the United States. Sec. 5. *And be it further enacted,* That whenever the Attorney-General deems it necessary, he may require the solicitor-general to argue any case in which the government is interested before the court of claims; and as to cases coming by appeal from the court of claims to the Supreme Court of the United States, it shall be the duty of the Attorney-General and solicitor-general to conduct and argue them before that court as in other cases in which the United

Cases in any court of the United States. States is interested. And the Attorney-General may, whenever he deems it for the interest of the United States, conduct and argue any case in which the government is interested, in any court of the United States, or may require the solicitor-general or any officer of his Department to do so.

Officers of the department may be sent to any State or district. And the solicitor-general, or any officer of the Department of Justice, may be sent by the Attorney-General to any State or district in the United States to attend to the interests of the United States in any suit pending in any of the courts of the United States, or in the courts of any State, or to

attend to any other interest of the United States; for which service they shall receive, in addition to their salaries, their actual and necessary expenses, while so absent from the seat of government, the account thereof to be verified by affidavit.

Actual and necessary expenses on such service to be paid.

Sec. 6. *And be it further enacted*, That whenever a question of law arises in the administration, either of the War or Navy Department, the cognizance of which is not given by statute to some other officer from whom the head of either of these Departments may require advice, the same shall be sent to the Attorney-General, to be by him referred to the proper officer in his Department provided for in this act, or otherwise disposed of as he may deem proper; and each head of any Department of the government may require the opinion of the Attorney-General on all questions of law arising in the administration of their respective Departments.

Questions of law from War or Navy departments.

Sec. 7. *And be it further enacted*, That the duties enjoined upon the auditor of the Post-Office Department by the fourteenth section of the act entitled "An act to change the organization of the Post-Office Department, and to provide more effectually for the settlement of the accounts thereof," passed July two, eighteen hundred and thirty-six, shall hereafter be performed by some officer of the Department of Justice, to be specially designated, under the direction of the Attorney-General, who shall also have the care of prosecutions for mail depredations and penal offenses against the postal laws.

Duties of auditor of the Post-Office Department.

1836, ch. 270, sec. 14. Vol. v, p. 82.

Prosecutions for offences against postal laws, &c.

Sec. 8. *And be it further enacted*, That the Attorney-General is hereby empowered to make all necessary rules and regulations for the government of said Department of Justice, and for the management and distribution of its business.

Rules and regulations of the department.

Sec. 9. *And be it further enacted*, That the several officers hereinbefore transferred from the other Departments to the Department of Justice shall hold their respective offices until their successors are duly qualified; and the solicitor-general, and whenever vacancies occur, the assistants of the Attorney-General, and all the solicitors and assistant solic-

Officers hereby transferred to hold office until, &c.

Certain appointments to be made by the President;

others by the Attorney-General. itors mentioned in this act, shall be appointed by the President, by and with the advice and consent of the Senate. All the other officers, clerks, and employées in the said Department shall be appointed and be removable by the Attorney-General.

Salaries. Sec. 10. *And be it further enacted,* That the following annual salaries shall be paid to the officers hereinbefore mentioned: To the solicitor-general, seven thousand five hundred dollars; to each of the assistants of the Attorney-General, five thousand dollars each; to the solicitor of the internal revenue, five thousand dollars; and to the other officers the salaries and fees now allowed by law; and the Attorney-General shall be allowed a stenographic clerk, with an annual salary of two thousand dollars, and he may appoint three additional clerks of the fourth class.

Moneys drawn by the Attorney-General, how to be disbursed. Sec. 11. *And be it further enacted,* That all moneys hereafter drawn out of the treasury upon the requisition of the Attorney-General, shall be disbursed by such one of the clerks herein provided for the Attorney-General as he may designate; and so much of the first section of the act making appropriations, passed March three, eighteen hundred and fifty-nine, as provides that moneys drawn out of the treasury upon the requisition of the Attorney-General shall be disbursed by such disbursing officer as the Secretary of the Treasury may designate, is hereby repealed.

Annual report of Attorney-General; when made, and to include what. Sec. 12. *And be it further enacted,* That it shall be the duty of the Attorney-General to make an annual report to Congress, in January each year, of the business of the said Department of Justice, and any other matters appertaining thereto that he may deem proper, including the statistics of crime under the laws of the United States, and, as far as practicable, under the laws of the several States.

Statistics of crime. Sec. 13. *And be it further enacted,* That the superintendent of the treasury building shall provide such suitable rooms in the treasury building as may be necessary to accommodate the officers and clerks of the said Department, or, to the extent that that may be found impracticable, to provide such rooms in some other building in the vicinity of said treasury building.

Superintendent of treasury building to provide suitable rooms.

Repeal of part of 1859, ch. 80, sec. 1. Vol. xi, p. 420.

Sec. 14. *And be it further enacted*, That the Attorney-General may require any solicitor or officers of the Department of Justice to perform any duty required of said Department or any officer thereof; and the officers of the law department, under the direction of the Attorney-General, shall give all opinions and render all services requiring the skill of persons learned in the law, necessary to enable the President and heads of the executive Departments, and the heads of bureaus and other officers in such Departments to discharge their respective duties; and shall, for and on behalf of the United States, procure the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the Supreme Court of the United States and in the court of claims, in which the United States, or any officer thereof, is a party or may be interested. And no fees shall be allowed or paid to any other attorney or counsellor at law for any service herein required of the officers of the Department of Justice.

Attorney-General may require any officer to perform any duty required.

Opinions.

Suits and proceedings.

No fees to any other attorney or counsellor, for any service herein required.

Sec. 15. *And be it further enacted*, That the supervisory powers now exercised by the Secretary of the Interior over the accounts of the district attorneys, marshals, clerks, and other officers of the courts of the United States, shall be exercised by the Attorney-General, who shall sign all requisitions for the advance or payment of moneys out of the treasury, on estimates or accounts, subject to the same control now exercised on like estimates or accounts by the first auditor or first comptroller of the treasury.

Supervisory powers over accounts of district attorneys, &c. to be exercised by Attorney-General;

Sec. 16. *And be it further enacted*, That the Attorney-General shall have supervision of the conduct and proceedings of the various attorneys for the United States in the respective judicial districts, who shall make report to him of their proceedings, and also of all other attorneys and counsellors employed in any cases or business in which the United States may be concerned.

and over conduct and proceedings of attorneys of, or employed by, the United States.

Sec. 17. *And be it further enacted*, That it shall not be lawful for the Secretary of either of the executive Departments to employ attorneys or counsel at the expense of the United States; but such Departments, when in need of coun-

Secretaries of departments not to employ attorneys or counsel at the expense of the United States;

to call upon sel or advice, shall call upon the Department of Justice, the
the Department officers of which shall attend to the same; and no counsel or
of Justice.

No counsel or attorney fees shall hereafter be allowed to any person or
attorney fees to persons, besides the respective district attorneys and assist-
be allowed, except, ant district attorneys, for services in such capacity to the
&c. and upon
what certificate.

Attorneys, &c.
specially retained
to receive a
commission as
special assistant
to, &c. and shall
take the oath, &c.

United States, or any branch or department of the govern-
ment thereof, unless hereafter authorized by law, and then
only on the certificate of the Attorney-General that such
services were actually rendered, and that the same could not
be performed by the Attorney-General, or solicitor-general,
or the officers of the department of justice, or by the district
attorneys. And every attorney and counsellor who shall
be specially retained, under the authority of the Department
Of Justice, to assist in the trial of any case in which the
government is interested, shall receive a commission from
the head of said Department, as a special assistant to the
Attorney-General, or to some one of the district attorneys,
as the nature of the appointment may require, and shall take
the oath required by law to be taken by the district attor-
neys, and shall be subject to all the liabilities imposed upon
such officers by law.

Edition of the
opinions of law
officers to be
published from
time to time.

Sec. 18. *And be it further enacted*, That the Attorney-
General shall from time to time cause to be edited and
printed an edition of one thousand copies, at the govern-
ment printing office, of such of the opinions of the law
officers herein authorized to be given as he may deem valu-
able for preservation, in volumes which shall be as to the
size, quality of paper, printing, and binding, of uniform style
and appearance, as nearly as practicable, with the eighth
volume of said opinions, published by Robert Farnham, in
the year eighteen hundred and sixty-eight, which volumes
shall contain proper head-notes, a complete and full index,
and such foot-notes as the Attorney-General may approve.
Such volumes shall be distributed in such manner as the
Attorney-General may from time to time prescribe.

Style, &c. of
volumes, and
how distributed.

This act, when
to take effect.

Sec. 19. *And be it further enacted*, That this act shall take
effect and be in force from and after the first day of July,
eighteen hundred and seventy.

Approved, June 22, 1870.

[United States Statutes at Large, Vol. 17, p. 157.]

Chap. CXCVIII.—*An Act to amend an Act entitled "An May 23, 1872. Act to establish a uniform Time for holding Elections for Electors of President and Vice-President in all the States of the Union," approved January twenty-third, eighteen hundred and forty-five.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if by the now existing laws of any State the election commencing on the Tuesday next after the first Monday in November, eighteen hundred and seventy-two, for the purpose of choosing electors of President and Vice-President in such State shall be required to be continued for more than one day, then said election shall be continued the number of days required by the laws of such States.

Approved, May 23, 1872.

[United States Statutes at Large, Vol. 17, p. 283.]

Chap. CCCXXXV.—*An Act to revise, consolidate, and amend the Statutes relating to the Post-office Department.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established, at the seat of government of the United States of America, a department to be known as the Post-office Department.

Sec. 2. That the principal officers of the Post-office Department shall be one Postmaster-General and three assistant postmasters-general, who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner; and the term of office of the Postmaster-General shall be for and during the term of the President by whom he is appointed, and for one month thereafter, unless sooner removed.

* * * * *

Sec. 7. That in case of the death, resignation, or absence of the Postmaster-General, all his powers and duties

Election to choose Presidential electors, &c., in November, 1872, in any State to be continued for more than one day, if, &c.

Post-office department established.

Postmaster-general and three assistants, appointment, term of office, &c.

In case of death, &c., his duties to devolve upon first assistant postmaster-general.

shall devolve, for the time being, on the first assistant postmaster-general.

* * * * *

Postmaster-general
all employees
take oath or
affirmation;

Sec. 15. That before entering upon the duties, and before they shall receive any salary, the Postmaster-General and all persons employed in the postal-service, shall respectively take and subscribe, before some magistrate or other competent officer, the following oath or affirmation: "I, A. B., do solemnly swear (or affirm, as the case may be) that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the laws in relation to the establishment of post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control: So help me, God." And this oath or affirmation may be taken before any officer, civil or military, holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath or affirmation.

Before whom
taken.

* * * * *

Approved, June 8, 1872.

**THE ADMINISTRATION
OF
ULYSSES S. GRANT**

SECOND TERM

March 4, 1873, to March 3, 1877

ELECTION FOR THE TWENTY-SECOND TERM, COMMENCING 4TH MARCH, 1875, AND TERMINATING 3RD MARCH, 1877.

Number of Electoral Votes.	STATES.	President.					Vice President.									
		Ulysses S. Grant, of Illinois.	Horace Greeley, of New York.	B. Gratz Brown, of Missouri.	Thos. A. Hendricks, of Indiana.	Charles J. Jenkins, of Georgia.	David Davis, of Illinois.	Henry Wilson, of Massachusetts.	B. Gratz Brown, of Missouri.	Nathaniel P. Banks, of Massachusetts.	George W. Julian, of Indiana.	Alfred H. Colquitt, of Georgia.	John M. Palmer, of Illinois.	Thos. E. Bramlette, of Kentucky.	Wm. S. Groesbeck, of Ohio.	Willis B. Machen, of Kentucky.
1	Maine.....	1	..	..	..	..	..	13	..	..	..	..	..	..	..	..
3	New Hampshire.....	5	..	..	..	..	..	4	..	..	..	..	..	..	..	..
13	Massachusetts.....	13	..	..	..	..	..	6	..	..	..	..	..	..	..	..
4	Rhode Island.....	4	..	..	..	..	..	6	..	..	..	..	..	..	..	..
6	Connecticut.....	6	..	..	..	..	..	35	..	..	..	..	..	..	..	..
5	Vermont.....	5	..	..	..	..	..	29	..	..	..	..	..	..	..	..
35	New York.....	35	..	..	..	..	..	8	..	..	..	..	..	..	..	..
9	New Jersey.....	9	..	..	..	..	..	11	..	..	..	..	..	..	..	..
29	Pennsylvania.....	29	..	..	..	..	..	10	..	..	..	..	..	..	..	..
3	Delaware.....	3	..	..	..	..	..	7	..	..	..	..	..	..	..	..
8	Maryland.....	8	..	..	..	..	..	12	..	..	..	..	..	..	..	..
11	Virginia.....	11	..	..	..	..	..	22	..	..	..	..	..	..	..	..
10	North Carolina.....	10	..	..	..	..	..	15	..	..	..	..	..	..	..	..
10	South Carolina.....	10	..	..	..	..	..	21	..	..	..	..	..	..	..	..
7	Georgia.....	7	..	..	..	..	..	10	..	..	..	..	..	..	..	..
12	Kentucky.....	12	..	..	..	..	..	11	..	..	..	..	..	..	..	..
12	Tennessee.....	12	..	..	..	..	..	6	..	..	..	..	..	..	..	..
23	Ohio.....	23	..	..	..	..	..	8	..	..	..	..	..	..	..	..
15	Louisiana.....	15	..	..	..	..	..	11	..	..	..	..	..	..	..	..
8	Indiana.....	8	..	..	..	..	..	10	..	..	..	..	..	..	..	..
21	Mississippi.....	21	..	..	..	..	..	11	..	..	..	..	..	..	..	..
10	Illinois.....	10	..	..	..	..	..	4	..	..	..	..	..	..	..	..
10	Alabama.....	10	..	..	..	..	..	8	..	..	..	..	..	..	..	..
15	Missouri.....	15	..	..	..	..	..	11	..	..	..	..	..	..	..	..
11	Arkansas.....	11	..	..	..	..	..	10	..	..	..	..	..	..	..	..
4	Michigan.....	4	..	..	..	..	..	6	..	..	..	..	..	..	..	..
8	Florida.....	8	..	..	..	..	..	11	..	..	..	..	..	..	..	..
10	Texas.....	10	..	..	..	..	..	10	..	..	..	..	..	..	..	..
11	Wisconsin.....	11	..	..	..	..	..	11	..	..	..	..	..	..	..	..
6	Iowa.....	6	..	..	..	..	..	6	..	..	..	..	..	..	..	..
6	California.....	6	..	..	..	..	..	5	..	..	..	..	..	..	..	..
3	Minnesota.....	3	..	..	..	..	..	3	..	..	..	..	..	..	..	..
3	Oregon.....	3	..	..	..	..	..	5	..	..	..	..	..	..	..	..
5	Kansas.....	5	..	..	..	..	..	5	..	..	..	..	..	..	..	..
5	West Virginia.....	5	..	..	..	..	..	3	..	..	..	..	..	..	..	..
3	Nevada.....	3	..	..	..	..	..	3	..	..	..	..	..	..	..	..
3	Nebraska.....	3	..	..	..	..	..	1	..	..	..	..	..	..	..	..
352, whole number; necessary to elect, 177.		296	..	18	42	2	1	296	47	1	6	5	3	3	1	1
Popular vote.....		3,597,070	2,834,070	..	..	..	..	..	..	..	..	..	..	..	..	..
Plurality.....		762,991	..	..	..	..	..	..	..	..	..	..	..	..	..	..

*The votes of three electors from Georgia were returned for Horace Greeley; but as he was deceased at the time the votes were cast in the Electoral College, it was decided not to count them.

ULYSSES S. GRANT, Illinois.

HENRY WILSON, Massachusetts (Died November 22, 1875).

THOMAS W. FERRY, Michigan, President *pro tempore* of the Senate.

March 4, 1873, to March 3, 1877.

SECRETARY OF STATE.

HAMILTON FISH, of New York, continued from last administration; resigned.

HAMILTON FISH, of New York, renominated, confirmed and recommissioned March 17, 1873; served through remainder of the administration.

SECRETARY OF THE TREASURY.

GEORGE S. BOUTWELL, of Massachusetts, continued from last administration; served to March 16, 1873; resigned March 17, 1873.

WILLIAM A. RICHARDSON, of Massachusetts, nominated, confirmed and commissioned March 17, 1873; entered upon duties same day; resigned June 1, 1874; served to June 4, 1874.

BENJAMIN H. BRISTOW, of Kentucky, nominated June 1, 1874; confirmed and commissioned June 2, 1874; entered upon duties June 4, 1874; resigned June 17, 1876; served to June 20, 1876.

CHARLES F. CONANT, of New Hampshire (Assistant Secretary), *ad interim* June 21, 1876, to June 30, 1876.

LOT M. MORRILL, of Maine, nominated, confirmed and commissioned June 21, 1876; entered upon duties July 7, 1876; served through remainder of the administration.

SECRETARY OF WAR.

WILLIAM W. BELKNAP, of Iowa, continued from last administration; resigned.

WILLIAM W. BELKNAP, of Iowa, renominated, confirmed and recommissioned March 17, 1873; resigned March 2, 1876.

GEORGE M. ROBESON, of New Jersey (Secretary of the Navy), *ad interim* March 2, 1876, to March 10, 1876.

ALPHONSO TAFT, of Ohio, nominated March 7, 1876; confirmed and commissioned March 8, 1876; entered upon duties March 11, 1876; served to May 31, 1876; appointed Attorney General May 22, 1876.

JAMES D. CAMERON, of Pennsylvania, nominated, confirmed and commissioned May 22, 1876; entered upon duties June 1, 1876; served through remainder of the administration.

ATTORNEY GENERAL.

GEORGE H. WILLIAMS, of Oregon, continued from last administration; resigned.

GEORGE H. WILLIAMS, of Oregon, renominated, confirmed and recommissioned March 17, 1873; nominated to be Chief Justice of the United States December 1, 1873; nomination withdrawn January 8, 1874; resigned April 22, 1875, to take effect May 15, 1875; served to May 15, 1875.

BENJAMIN H. BRISTOW, of Kentucky, nominated December 1, 1873; nomination withdrawn January 8, 1874.

EDWARDS PIERREPONT, of New York, commissioned (recess of the Senate) April 26, 1875, to take effect May 15, 1875; entered upon duties May 15, 1875; nominated December 8, 1875; confirmed and recommissioned December 9, 1875; served to May 31, 1876; appointed Envoy Extraordinary and Minister Plenipotentiary to England May 22, 1876.

ALPHONSO TAFT, of Ohio, nominated, confirmed and commissioned May 22, 1876; entered upon duties June 1, 1876; served through remainder of the administration.

POSTMASTER GENERAL.

JOHN A. J. CRESWELL, of Maryland, continued from last administration; resigned.

JOHN A. J. CRESWELL, of Maryland, renominated, confirmed and recommissioned March 17, 1873; resigned June 24, 1874; served to July 6, 1874.

JAMES W. MARSHALL, of Virginia, commissioned (recess of the Senate) July 3, 1874; entered upon duties July 7, 1874; served to August 31, 1874, when appointed First Assistant Postmaster General.

MARSHALL JEWELL, of Connecticut, commissioned (recess of the Senate) August 24, 1874; entered upon duties September 1, 1874; nominated December 7, 1874; confirmed and recommissioned December 15, 1874; resigned July 10, 1876; served to July 12, 1876.

JAMES N. TYNER, of Indiana, nominated July 11, 1876; confirmed and commissioned July 12, 1876; entered upon duties July 13, 1876; served through remainder of the administration.

SECRETARY OF THE NAVY.

GEORGE M. ROBESON, of New Jersey, continued from last administration; resigned.

GEORGE M. ROBESON, of New Jersey, renominated, confirmed and recommissioned March 17, 1873; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

COLUMBUS DELANO, of Ohio, continued from last administration; resigned.

COLUMBUS DELANO, of Ohio, renominated, confirmed and recommissioned March 17, 1873; resigned July 5, 1875; accepted September 22, 1875, to take effect October 1, 1875; served to September 30, 1875.

BENJAMIN R. COWEN, of Ohio (Assistant Secretary), *ad interim* October 1, 1875, to October 19, 1875.

ZACHARIAH CHANDLER, of Michigan, commissioned (recess of the Senate) October 19, 1875; entered upon duties October 20, 1875; nominated December 8, 1875; confirmed and recommissioned December 9, 1875; served through remainder of the administration.

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, 1874-1891, p. 4.]

March 4, 1874.
18 Stat. L., 19. Chap. 44.—*An act authorizing the chief clerk of the War Department to sign requisitions on the Treasury during the temporary absence of the Secretary of War.*

Secretary of War may authorize chief clerk to sign requisitions, &c., in his absence. *Be it enacted, &c.,* That when, from illness or other cause, the Secretary of War is temporarily absent from the War Department, he may authorize the chief clerk of the Department to sign requisitions upon the Treasury Department,

R. S. sec. 177, and other papers requiring the signature of said Secretary; 179, 215, 3673.
1890, March 5, ch. 26, post, p. 707.
1893, Aug. 5, ch. 339, par. 4, post, p. 373. the same, when signed by the chief clerk during such temporary absence, to be of the same force and effect as if signed by the Secretary of War himself. (March 4, 1874.)

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, 1874-1891, p. 5.]

March 5, 1874.
18 Stat. L., 19. Chap. 46.—*An act to amend the fifteenth section of an act approved June eighth, eighteen hundred and seventy-two, entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department."*

Oath to be taken by Postmaster General and all persons in postal service. *Be it enacted, &c.,* That section fifteen of the act "to revise, consolidate and amend the statutes relating to the Post Office Department," approved June eighth, eighteen hundred and seventy-two, be amended to read as follows:

R. S. sec. 391.
1894, May 13, ch. 46, post, p. 423.
1890, Aug. 29, ch. 320, sec. 1, post, p. 791. "Sec. 15. That before entering upon the duties, and before they shall receive any salary, the Postmaster General, and all persons employed in the postal service, shall respectively take and subscribe before some magistrate or other competent officer authorized to administer oaths by the laws of the United States, or of any State or Territory, the following oath or affirmation:

“‘I, A. B. do solemnly swear (or affirm, as the case may form of; be,) that I will faithfully perform all the duties required of me and abstain from everything forbidden by the laws in relation to the establishment of post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control;

“‘And I also further swear (or affirm) that I will support the Constitution of the United States; so help me God.’

“And this oath or affirmation may be taken before any officer civil or military holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath or affirmation.” (March 5, R. S. sec. 392. 1874.)

**THE ADMINISTRATION
OF
RUTHERFORD B. HAYES**

March 5, 1877, to March 3, 1881

210 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTY-THIRD TERM, COMMENCING 4TH MARCH, 1877, AND TERMINATING 3RD MARCH, 1881.

Number of Electoral Votes.	STATES.	President.		Vice President.	
		Rutherford B. Hayes, of Ohio.	Samuel J. Tilden, of New York.	Wm. A. Wheeler, of New York.	T. A. Hendricks, of Indiana.
10	Alabama .....	..	10	..	10
6	Arkansas .....	..	6	..	6
6	California	6	..	6	..
3	Colorado	3	..	3	..
6	Connecticut .....	..	6	..	6
3	Delaware .....	..	3	..	3
4	Florida	4	..	4	..
11	Georgia .....	..	11	..	11
21	Illinois	21	..	21	..
15	Indiana .....	..	15	..	15
11	Iowa	11	..	11	..
6	Kansas	5	..	5	..
12	Kentucky .....	..	12	..	12
8	Louisiana	8	..	8	..
7	Maine	7	..	7	..
8	Maryland .....	..	8	..	8
13	Massachusetts	13	..	13	..
11	Michigan	11	..	11	..
6	Minnesota	5	..	5	..
8	Mississippi .....	..	8	..	8
15	Missouri .....	..	15	..	15
3	Nebraska	3	..	3	..
3	Nevada	3	..	3	..
6	New Hampshire	5	..	5	..
9	New Jersey .....	..	9	..	9
35	New York .....	..	35	..	35
10	North Carolina .....	..	10	..	10
23	Ohio	23	..	23	..
3	Oregon	3	..	3	..
29	Pennsylvania	29	..	29	..
4	Rhode Island	4	..	4	..
7	South Carolina	7	..	7	..
12	Tennessee .....	..	12	..	12
8	Texas .....	..	8	..	8
5	Vermont	5	..	5	..
11	Virginia .....	..	11	..	11
5	West Virginia .....	..	5	..	5
10	Wisconsin	10	..	10	..
369, whole number ; necessary to elect, 185.		185	184	185	184
Popular vote		4,033,950	4,284,885		
Plurality			250,935		

The act creating the Electoral Commission provided that the returns should be read in the alphabetical order of the States. It had previously been the practice for the two Houses to hear the returns in the geographical order of the States, beginning with Maine.

THE ELECTORAL COMMISSION.

After the Presidential election of 1876, when the returns were received by the President of the Senate, it was found that there was more than one set from each of the States of Florida, Louisiana, Oregon, and South Carolina. When Congress met in December the difficulty was warmly discussed, with the result that on December 14, 1876, the House of Representatives passed a resolution authorizing the appointment of a committee of seven members to confer with a like committee of the Senate, and on the 18th of the same month the Senate adopted a similar resolution. On the 21st of December the Senate appointed Messrs. George F. Edmunds, Oliver P. Morton, Frederick T. Frelinghuysen, John A. Logan, Allen G. Thurman, Thomas F. Bayard, and Matt. W. Ransom as its committee; on the 29th of the same month Mr. Logan was excused at his request, being unable to come to Washington in time, and Roscoe Conkling was appointed in his place. The committee of the House of Representatives, appointed December 22, 1876, was as follows: Messrs. Henry B. Payne, of Ohio, Eppa Hunton, of Virginia, Abram S. Hewitt, of New York, William M. Springer, of Illinois, George W. McCrary, of Iowa, George F. Hoar, of Massachusetts, and George Willard, of Michigan. The committees met and discussed the matter from time to time until January 18, 1877, when they reported to their respective Houses a bill which was passed by the Senate on January 25, 1877, and by the House of Representatives on January 26, 1877, and approved by the President on January 29, 1877. The act provided for a commission of fifteen members, of whom five were to be elected by the Senate, *vivâ voce*; five to be elected by the House of Representatives in the same manner; and four Associate Justices of the Supreme Court of the United States, who were designated, and were to select a fifth from the remaining Associate Justices. On January 30, 1877, the Senate elected Messrs. George F. Edmunds,

Oliver P. Morton, Frederick T. Frelinghuysen, Allen G. Thurman, and Thomas F. Bayard as members of the commission, each having received 68 of the 69 votes cast; on the same day Associate Justice Joseph P. Bradley was selected to be the fifth member of the United States Supreme Court on the commission by Messrs. Nathan Clifford, Samuel F. Miller, Stephen J. Field, and William Strong, the four Associate Justices who had been designated by the Act of Congress; on January 30, 1877, the House of Representatives elected Messrs. Henry B. Payne, of Ohio, Eppa Hunton, of Virginia, Josiah G. Abbott, of Massachusetts, George F. Hoar, of Massachusetts, and James A. Garfield, of Ohio. On February 1, the commissioners took the required oath, and organized with Justice Nathan Clifford as President; the two houses assembled in the House of Representatives to receive and count the electoral votes, and proceeded by States alphabetically, until Florida was reached, when, more than one return being found, and objections presented, the case was referred to the Electoral Commission. On February 9, the commission decided by the votes of Messrs. Miller, Strong, Bradley, Edmunds, Morton, Frelinghuysen, Garfield, and Hoar, that the four votes of Florida for Hayes and Wheeler were the lawful votes, and should be thus counted. On February 26, Senator Thurman being physically unable to attend, Senator Francis Kernan was elected to fill his place on the commission. The two sets of returns from Louisiana, Oregon, and South Carolina, were in turn submitted to the commission, which decided in favor of Hayes and Wheeler in each case, and on March 1, 1877, the vote was finally reached and announced by the President of the Senate to the two houses assembled, as follows: 185 for Hayes and Wheeler, and 184 for Tilden and Hendricks.

[United States Statutes at Large, Vol. 19, p. 227.]

Jan. 29, 1877. Chap. 37.—*An act to provide for and regulate the counting of votes for President and Vice President, and the decision of questions arising thereon, for the term commencing March fourth, anno Domini eighteen hundred and seventy-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Counting votes for President and Vice-President.

the Senate and House of Representatives shall meet in the Meeting.

Hall of the House of Representatives, at the hour of one o'clock post meridian, on the first Thursday in February, anno Domini eighteen hundred and seventy-seven; and the President of the Senate shall be their presiding officer. Presiding officer.

Two tellers shall be previously appointed on the part of the Tellers.

Senate, and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates, and papers purporting to be certificates, of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; Order of counting votes. Duties of tellers.

and said tellers having then read the same in the presence and hearing of the two houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted as in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the Announcement of vote.

state of the vote, and the names of the persons, if any, elected, which announcement shall be deemed a sufficient declaration of the persons elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the journals of the two houses. Upon such reading of any such certificate or paper when there shall be only one return from a State, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and Objections in case of one return, form of.

concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its de-

Proceedings on objections.

Affirmative vote of both Houses required to reject. cision; and no electoral vote or votes from any State from which but one return has been received shall be rejected except by the affirmative vote of the two Houses. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the question submitted.

Announcement of decision.

Proceedings in case of double returns. Sec. 2. That if more than one return, or paper purporting to be a return from a State, shall have been received by the President of the Senate, purporting to be the certificates of electoral votes given at the last preceding election for President and Vice-President in such State, (unless they shall be duplicates of the same return), all such returns and papers shall be opened by him in the presence of the two Houses when met as aforesaid, and read by the tellers, and all such returns and papers shall thereupon be submitted to the judgment and decision as to which is the true and lawful

Electoral commission. How constituted. electoral vote of such State, of a commission constituted as follows, namely: During the session of each House on the Tuesday next preceding the first Thursday in February, eighteen hundred and seventy-seven, each House shall, by viva voce vote, appoint five of its members, who with the five associate justices of the Supreme Court of the United States, to be ascertained as hereinafter provided, shall constitute a commission for the decision of all questions upon or in respect of such double returns named in this section. On

Selection of justices of the Supreme Court. the Tuesday next preceding the first Thursday in February, anno Domini eighteen hundred and seventy-seven, or as soon thereafter as may be, the associate justices of the Supreme Court of the United States now assigned to the first, third, eighth, and ninth circuits shall select, in such manner as a majority of them shall deem fit, another of the associate justices of said court, which five persons shall be

President of commission. members of said commission; and the person longest in commission of said five justices shall be the president of said commission. The members of said commission shall re-

Oath. spectively take and subscribe the following oath: "I,—
—, do solemnly swear (or affirm, as the case may be) that I will impartially examine and consider all questions sub-

mitted to the commission of which I am a member, and a true judgment give thereon, agreeably to the Constitution and the laws: so help me God;" which oath shall be filed with the Secretary of the Senate. When the commission shall have been thus organized, it shall not be in the power of either house to dissolve the same, or to withdraw any of its members; but if any such Senator or member shall die or become physically unable to perform the duties required by this act, the fact of such death or physical inability shall be by said commission, before it shall proceed further, communicated to the Senate or House of Representatives, as the case may be, which body shall immediately and without debate proceed by viva voce vote to fill the place so vacated, and the person so appointed shall take and subscribe the oath hereinbefore prescribed, and become a member of said commission; and, in like manner, if any of said justices of the Supreme Court shall die or become physically incapable of performing the duties required by this act, the other of said justices, members of the said commission, shall immediately appoint another justice of said court a member of said commission, and, in such appointments, regard shall be had to the impartiality and freedom from bias sought by the original appointments to said commission, who shall thereupon immediately take and subscribe the oath hereinbefore prescribed, and become a member of said commission to fill the vacancy so occasioned. All the certificates and papers purporting to be certificates of the electoral votes of each State shall be opened, in the alphabetical order of the States, as provided in section one of this act; and when there shall be more than one such certificate or paper, as the certificates and papers from such State shall so be opened, (excepting duplicates of the same return,) they shall be read by the tellers, and thereupon the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same

Commission not
to be dissolved.

Vacancies,
how filled.

Opening certifi-
cates in case of
double returns.

Objections,
form of.

shall be received. When all such objections so made to any certificate, vote, or paper from a State shall have been received and read, all such certificates, votes, and papers so objected to, and all papers accompanying the same, together with such objections, shall be forthwith submitted to said commission, which shall proceed to consider the same, with the same powers, if any, now possessed for that purpose by the two Houses acting separately or together, and, by a majority of votes, decide whether any and what votes from such State are the votes provided for by the Constitution of the United States, and how many and what persons were duly appointed electors in such State, and may therein take into view such petitions, depositions, and other papers, if any, as shall, by the Constitution and now existing law, be competent and pertinent in such consideration; which decision shall be made in writing, stating briefly the ground thereof, and signed by the members of said commission agreeing therein; whereupon the two houses shall again meet, and such decision shall be read and entered in the journal of each House, and the counting of the votes shall proceed in conformity therewith, unless, upon objection made thereto in writing by at least five Senators and five members of the House of Representatives, the two Houses shall separately concur in ordering otherwise, in which case such concurrent order shall govern. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

Certificates, etc., to be submitted to commission.
Powers of commission.
Decision, how made.
Proceedings after decision.
Count not to proceed until final decision on objections.

Sec. 3. That while the two Houses shall be in meeting, as provided in this act, no debate shall be allowed and no question shall be put by the presiding officer, except to either House on a motion to withdraw; and he shall have power to preserve order.

Order of proceedings in joint session.
Debate in each House on objections limited.

Sec. 4. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or upon objection to a report of said commission, or other question arising under this act, each Senator and Representative may

speak to such objection or question ten minutes, and not oftener than once, but after such debate shall have lasted two hours, it shall be the duty of each House to put the main question without further debate.

Sec. 5. That at such joint meeting of the two Houses, seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators in the body of the hall upon the right of the presiding officer; for the Representatives, in the body of the hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next day, Sunday excepted, at the hour of ten o'clock in the forenoon. And while any question is being considered by said commission, either House may proceed with its legislative or other business.

Joint meeting;
arrangement
of seats.

Not to be dis-
solved until
count declared.

Recess.

Legislative
business.

Sec. 6. That nothing in this act shall be held to impair or affect any right now existing under the Constitution and laws to question, by proceeding in the judicial courts of the United States, the right or title of the person who shall be declared elected, or who shall claim to be President or Vice-President of the United States, if any such right exists.

Right of legal
proceedings
not impaired.

Sec. 7. That said commission shall make its own rules, keep a record of its proceedings, and shall have power to employ such persons as may be necessary for the transaction of its business and the execution of its powers.

Commission to
make rules, etc.

Approved, January 29, 1877.

[Senate Journal, 2nd Session, 44th Cong., Jan. 29, 1877, p. 164.]

To the Senate of the United States:

Message of the
President accom-
panying the
electoral com-
mission act of
January 29, 1877.

I follow the example heretofore occasionally permitted of communicating in this mode my approval of the act to provide for and regulate the counting of votes for President and Vice-President, and the decision of questions arising thereon, for the term commencing March 4, A. D. 1877, because of my appreciation of the imminent peril to the institutions of the country from which, in my judgment, the act affords a wise and constitutional means of escape.

For the first time in the history of our country, under the Constitution as it now is, a dispute exists with regard to the result of the election of the Chief Magistrate of the nation.

It is understood that upon the disposition of disputes touching the electoral votes cast at the late election by one or more of the States depends the question whether one or the other of the candidates for the Presidency is to be the lawful Chief Magistrate. The importance of having clearly ascertained, by a procedure regulated by law, which of the two citizens has been elected and of having the right to this high office recognized and cheerfully agreed in by all the people of the republic cannot be overestimated, and leads me to express to Congress and to the nation my great satisfaction at the adoption of a measure that affords an orderly means of decision of a gravely exciting question.

While the history of our country in its earlier periods shows that the President of the Senate has counted the votes and declared their standing, our whole history shows that in no instance of doubt or dispute has he exercised the power of deciding, and that the two houses of Congress have disposed of all such doubts and disputes, although in no instance hitherto have they been such that their decision could essentially have affected the result.

For the first time the Government of the United States is now brought to meet the question as one vital to the result, and this under conditions not the best calculated to

produce an agreement or to induce calm feeling in the several branches of the Government or among the people of the country. In a case where, as now, the result is involved, it is the highest duty of the law-making power to provide in advance a constitutional, orderly, and just method of executing the Constitution in this most interesting and critical of its provisions. The doing so, far from being a compromise of right, is an enforcement of right and an execution of powers conferred by the Constitution on Congress.

I think that this orderly method has been secured by the bill, which, appealing to the Constitution and the law as the guide in ascertaining rights, provides a means of deciding questions of single returns through the direct action of Congress, and in respect to double returns, by a tribunal of inquiry, whose decisions stand unless both Houses of Congress shall concur in determining otherwise; thus securing a definite disposition of all questions of dispute, in whatever aspect they may arise. With or without this law, as all of the States have voted, and as a tie vote is impossible, it must be that one of the two candidates has been elected; and it would be deplorable to witness an irregular controversy as to which of the two should receive or which should continue to hold the office. In all periods of history controversies have arisen as to the succession or choice of the chiefs of states, and no party or citizens loving their country and its free institutions can sacrifice too much of mere feeling in preserving through the upright course of law their country from the smallest danger to its peace on such an occasion, and it cannot be impressed too firmly in the heart of all the people that true liberty and real progress can exist only through a cheerful adherence to constitutional law.

The bill purports to provide only for the settlement of questions arising from the recent elections. The fact that such questions can arise demonstrates the necessity, which I cannot doubt will before long be supplied, of permanent general legislation to meet cases which have not been contemplated in the Constitution or laws of the country.

The bill may not be perfect, and its provisions may not be such as would be best applicable to all future occasions, but it is calculated to meet the present condition of the question and of the country.

The country is agitated. It needs and it desires peace and quiet and harmony between all parties and all sections. Its industries are arrested, labor unemployed, capital idle, and enterprise paralyzed by reason of the doubt and anxiety attending the uncertainty of a double claim to the Chief Magistracy of the nation. It wants to be assured that the result of the election will be accepted without resistance from the supporters of the disappointed candidate, and that its highest officer shall not hold his place with a questioned title of right. Believing that the bill will secure these ends, I give it my signature.

U. S. GRANT.

EXECUTIVE MANSION, *January 29, 1877*

RUTHERFORD B. HAYES, Ohio.

WILLIAM A. WHEELER, New York.

March 5, 1877, to March 3, 1881.

SECRETARY OF STATE.

HAMILTON FISH, of New York, continued from last administration; resigned March 5, 1877; served to March 12, 1877.

WILLIAM M. EVARTS, of New York, nominated March 7, 1877; confirmed March 10, 1877; commissioned March 12, 1877; entered upon duties same day; served through remainder of the administration.

SECRETARY OF THE TREASURY.

LOT M. MORRILL, of Maine, continued from last administration; resigned March 5, 1877; served to March 9, 1877.

JOHN SHERMAN, of Ohio, nominated March 7, 1877; confirmed and commissioned March 8, 1877; entered upon duties March 10, 1877; served to March 3, 1881.

SECRETARY OF WAR.

JAMES D. CAMERON, of Pennsylvania, continued from last administration; resigned March 5, 1877; served to March 11, 1877.

GEORGE W. MCCRARY, of Iowa, nominated March 7, 1877; confirmed March 10, 1877; commissioned March 12, 1877; entered upon duties same day; resigned and served to December 11, 1879; appointed United States Circuit Judge, 8th Circuit, December 9, 1879.

ALEXANDER RAMSEY, of Minnesota, nominated, confirmed and commissioned December 10, 1879; entered upon duties December 12, 1879; served through remainder of the administration.

ATTORNEY GENERAL.

ALPHONSO TAFT, of Ohio, continued from last administration; resigned March 5, 1877; served to March 11, 1877.

CHARLES DEVENS, of Massachusetts, nominated March 7, 1877; confirmed March 10, 1877; commissioned March 12, 1877; entered upon duties same day; served through remainder of the administration.

POSTMASTER GENERAL.

JAMES N. TYNER, of Indiana, continued from last administration; resigned March 5, 1877; served to March 12, 1877.

DAVID M. KEY, of Tennessee, nominated March 7, 1877; confirmed March 10, 1877; commissioned March 12, 1877; entered upon duties March 13, 1877; served to August 24, 1880; appointed United States District Judge for the Eastern and Middle Districts of Tennessee, May 20, 1880.

HORACE MAYNARD, of Tennessee, nominated May 19, 1880; confirmed and commissioned June 2, 1880; entered upon duties August 25, 1880; served through remainder of the administration.

SECRETARY OF THE NAVY.

GEORGE M. ROBESON, of New Jersey, continued from last administration; resigned March 5, 1877; served to March 12, 1877.

RICHARD W. THOMPSON, of Indiana, nominated March 7, 1877; confirmed March 10, 1877; commissioned March 12, 1877; entered upon duties March 13, 1877; resigned and served to December 20, 1880.

ALEXANDER RAMSEY, of Minnesota (Secretary of War), *ad interim* December 20, 1880, to December 30, 1880.

NATHAN GOFF, JR., of West Virginia, nominated, confirmed and commissioned January 6, 1881; entered upon duties January 7, 1881; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

ZACHARIAH CHANDLER, of Michigan, continued from last administration; resigned March 5, 1877; served to March 11, 1877.

CARL SCHURZ, of Missouri, nominated March 7, 1877; confirmed March 10, 1877; commissioned March 12, 1877; entered upon duties same day; served through remainder of the administration.

[Revised Statutes of the United States, 2nd Edition, 1878, p. 22.]

PRESIDENTIAL ELECTIONS.

Sec. 131. Except in case of a presidential election prior to the ordinary period, as specified in sections one hundred and forty-seven to one hundred and forty-nine, inclusive, when the offices of President and Vice-President both become vacant, the electors of President and Vice-President shall be appointed, in each State, on the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice-President. (See sec. 5520.)

Time of appointing electors.
1 Mar., 1792, c. 8, s. 1, v. 1, p. 239.
23 Jan., 1845, c. 1, v. 5, p. 721.
29 Jan., 1877, c. 37, v. 19, p. 237.

Sec. 132. The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice-President to be chosen come into office; except, that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors, the number of electors shall be according to the then existing apportionment of Senators and Representatives.

Number of electors.
1 Mar., 1792, c. 8, s. 1, v. 1, p. 239.

Sec. 133. Each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

Vacancies in electoral college.
23 Jan., 1845, c. 1, v. 5, p. 721.

Sec. 134. Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct.

Failure to make a choice on the appointed day.
23 Jan., 1845, c. 1, v. 5, p. 721.

Sec. 135. The electors for each State shall meet and give their votes upon the first Wednesday in December in the year

Meeting of electoral college.
1 Mar., 1792, c. 8, s. 2, v. 1, p. 239.

in which they are appointed, at such place, in each State, as the legislature of such State shall direct.

List of names of electors to be furnished to them.
1 Mar., 1792, c. 8, s. 3, v. 1, p. 240. Sec. 136. It shall be the duty of the executive of each State to cause three lists of the names of the electors of such State to be made and certified, and to be delivered to the electors on or before the day on which they are required, by the preceding section, to meet.

Manner of voting.
26 Mar., 1804, c. 50, s. 1, v. 2, p. 295. Sec. 137. The electors shall vote for President and Vice-President, respectively, in the manner directed by the Constitution.

Certificates to be made and signed.
1 Mar., 1792, c. 8, s. 2, s. v. 1, p. 239.
26 Mar., 1804, c. 50, s. 1, v. 2, p. 295. Sec. 138. The electors shall make and sign three certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President, and the other of the votes for Vice-President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State.

Certificates to be sealed and indorsed.
1 Mar., 1792, c. 8, s. 2, v. 1, p. 239.
26 Mar., 1804, c. 50, s. 1, vol. 2, p. 295. Sec. 139. The electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice-President, are contained therein.

Transmission of the certificates.
1 Mar., 1792, c. 8, s. 2, v. 1, p. 239.
26 Mar., 1804, c. 50, s. 1, v. 2, p. 295. Sec. 140. The electors shall dispose of the certificates thus made by them in the following manner:

One. They shall, by writing under their hands, or under the hands of a majority of them, appoint a person to take charge of and deliver to the President of the Senate, at the seat of Government, before the first Wednesday in January then next ensuing, one of the certificates.

Two. They shall forthwith forward by the post-office to the President of the Senate, at the seat of Government, one other of the certificates.

Three. They shall forthwith cause the other of the certificates to be delivered to the judge of that district in which the electors shall assemble.

When Secretary of State shall send for district judge's list.
1 Mar., 1792, c. 8, s. 4, v. 1, p. 240. Sec. 141. Whenever a certificate of votes from any State has not been received at the seat of Government on the first Wednesday of January indicated by the preceding section, the Secretary of State shall send a special messenger to the

district judge in whose custody one certificate of the votes from that State has been lodged, and such judge shall forthwith transmit that list to the seat of Government.

Sec. 142. Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors, and the certificates, or so many of them as have been received, shall then be opened, the votes counted, and the persons to fill the offices of President and Vice-President ascertained and declared, agreeable to the Constitution.

Counting the electoral votes in Congress. 1 Mar., 1792, c. 8, s. 5, v. 1, p. 240.

Sec. 143. In case there shall be no President of the Senate at the seat of Government on the arrival of the persons intrusted with the certificates of the votes of the electors, then such persons shall deliver such certificates into the office of the Secretary of State, to be safely kept, and delivered over as soon as may be to the President of the Senate.

Provision for absence of President of the Senate. 1 Mar., 1792, c. 8, s. 6, v. 1, p. 240.

Sec. 144. Each of the persons appointed by the electors to deliver the certificates of votes to the President of the Senate shall be allowed, on the delivery of the list intrusted to him, twenty-five cents for every mile of the estimated distance, by the most usual road, from the place of meeting of the electors to the seat of Government of the United States.

Mileage of messengers. 1 Mar., 1792, c. 8, s. 7, v. 1, p. 240.

Sec. 145. Every person who, having been appointed, pursuant to subdivision one of section one hundred and forty or to section one hundred and forty-one, to deliver the certificates of the votes of the electors to the President of the Senate, and having accepted such appointment, shall neglect to perform the services required from him, shall forfeit the sum of one thousand dollars.

Forfeiture for messenger's neglect of duty. 1 Mar., 1792, c. 8, s. 8, v. 1, p. 240.

Sec. 146. In case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the President of the Senate, or, if there is none, then the Speaker of the House of Representatives, for the time being, shall act as President until the disability is removed or a President elected.

Vacancy in both offices. 1 Mar., 1792, c. 8, s. 9, v. 1, p. 240.

Sec. 147. Whenever the offices of President and Vice-President both become vacant, the Secretary of State shall forthwith cause a notification thereof to be made to the executive of every State, and shall also cause the same to be

Notification of vacancies to be published. 1 Mar., 1792, c. 8, s. 10, v. 1, p. 240.

published in at least one of the newspapers printed in each State.

Requisites of the notification.
1 Mar., 1792, c. 8,
s. 10, v. 1, p. 240.
29 Jan., 1877, c. 37,
v. 19, p. 237. Sec. 148. The notification shall specify that electors of a President and Vice-President of the United States shall be appointed or chosen in the several States, as follows:

First. If there shall be the space of two months yet to ensue between the date of such notification and the first Wednesday in December then next ensuing, such notification shall specify that the electors shall be appointed or chosen within thirty-four days preceding such first Wednesday in December.

Second. If there shall not be the space of two months between the date of such notification and such first Wednesday in December, and if the term for which the President and Vice-President last in office were elected will not expire on the third day of March next ensuing, the notification shall specify that the electors shall be appointed or chosen within thirty-four days preceding the first Wednesday in December in the year next ensuing. But if there shall not be the space of two months between the date of such notification and the first Wednesday in December then next ensuing, and if the term for which the President and Vice-President last in office were elected will expire on the third day of March next ensuing, the notification shall not specify that electors are to be appointed or chosen.

Time of holding election to fill vacancy.
1 Mar., 1792,
c. 8, s. 10,
v. 1, p. 240. Sec. 149. Electors appointed or chosen upon the notification prescribed by the preceding section shall meet and give their votes upon the first Wednesday in December specified in the notification.

Regulations for quadrennial election made applicable to election to fill vacancies.
1 Mar., 1792, c. 8,
s. 10, v. 1, p. 240. Sec. 150. The provisions of this Title, relating to the quadrennial election of President and Vice-President, shall apply with respect to any election to fill vacancies in the offices of President and Vice-President, held upon a notification given when both offices become vacant.

Resignation or refusal of office.
1 Mar., 1792, c. 8,
s. 11, v. 1, p. 241. Sec. 151. The only evidence of a refusal to accept, or of a resignation of the office of President or Vice-President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the

case may be, and delivered into the office of the Secretary of State.

OFFICE OF THE PRESIDENT.

Sec. 152. The term of four years for which a President and Vice-President shall be elected, shall, in all cases, commence on the fourth day of March next succeeding the day on which the votes of the electors have been given.

Commencement of term of office.
1 Mar., 1792, c. 8,
s. 12, v. 1, p. 241.

EXECUTIVE DEPARTMENTS.

Sec. 177. In case of the death, resignation, absence, or sickness of the head of any Department, the first or sole assistant thereof shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such head until a successor is appointed, or such absence or sickness shall cease.

Vacancies; how temporarily filled.
23 July, 1868, c. 227, s. 1, v. 15, p. 168.

Sec. 179. In any of the cases mentioned in the two preceding sections, except the death, resignation, absence, or sickness of the Attorney-General, the President may, in his discretion, authorize and direct the head of any other Department or any other officer in either Department, whose appointment is vested in the President, by and with the advice and consent of the Senate, to perform the duties of the vacant office until a successor is appointed, or the sickness or absence of the incumbent shall cease.

Discretionary authority of the President.
23 July, 1868, c. 227, s. 3, v. 15, p. 168.
23 June, 1870, c. 150, s. 2, v. 16, p. 162.

Sec. 180. A vacancy occasioned by death or resignation must not be temporarily filled under the three preceding sections for a longer period than ten days.

Temporary appointments limited to ten days.
23 July, 1868, c. 227, s. 3, v. 15, p. 168.

Sec. 181. No temporary appointment, designation, or assignment of one officer to perform the duties of another, in the cases covered by sections one hundred and seventy-seven and one hundred and seventy-eight, shall be made otherwise than as provided by those sections, except to fill a vacancy happening during a recess of the Senate.

Restriction on temporary appointments.
23 July, 1868, c. 227, s. 2, v. 15, p. 168.

Sec. 182. An officer performing the duties of another office, during a vacancy, as authorized by sections one hundred and seventy-seven, one hundred and seventy-eight, and one hundred and seventy-nine, is not by reason thereof

Extra compensation disallowed.
23 July, 1868, c. 227, s. 3, v. 15, p. 168.

entitled to any other compensation than that attached to his proper office.

Establishment of the Department of State
27 July, 1789, c. 4,
s. 1, v. 1, p. 23.
15 Sept., 1789,
c. 14, s. 1, v. 1,
p. 68.
Establishment of the Department of War
7 Aug., 1789, c. 7,
s. 1, v. 1, p. 49.
Establishment of the Department of the Treasury
3 Sept., 1789, c. 12,
s. 1, v. 1, p. 65.

Sec. 199. There shall be at the seat of Government an Executive Department to be known as the Department of State, and a Secretary of State, who shall be the head thereof.

Sec. 214. There shall be at the seat of Government an Executive Department to be known as the Department of War, and a Secretary of War, who shall be the head thereof.

Sec. 233. There shall be at the seat of Government an Executive Department to be known as the Department of the Treasury, and a Secretary of the Treasury, who shall be the head thereof.

Establishment of Department of Justice
24 Sept., 1789, c. 20,
s. 35, v. 1, p. 82.
22 June, 1870,
c. 150, s. 1, v. 16,
p. 162.
Solicitor-General
22 June, 1870,
c. 150, s. 2,
v. 16, p. 163.

Sec. 346. There shall be at the seat of Government an Executive Department to be known as the Department of Justice, and an Attorney-General, who shall be the head thereof.

Sec. 347. There shall be in the Department of Justice an officer learned in the law, to assist the Attorney-General in the performance of his duties, called the Solicitor-General, who shall be appointed by the President, by and with the advice and consent of the Senate, * * * * *

In case of a vacancy in the office of Attorney-General, or of his absence or disability, the Solicitor-General shall have power to exercise all the duties of that office.

Establishment of the Post-Office Department
8 May, 1794, c. 23,
s. 3, v. 1, p. 357.
8 June, 1873,
c. 335, ss. 1, 2,
v. 17, p. 233.

Sec. 388. There shall be at the seat of Government an Executive Department to be known as the Post-Office Department, and a Postmaster-General, who shall be the head thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner; and the term of the Postmaster-General shall be for and during the term of the President by whom he is appointed, and for one month thereafter, unless sooner removed.

Oath of office
8 June, 1873,
c. 335, s. 15,
v. 17, p. 237.
5 Mar. 1874, c. 46,
v. 18, p. 19.

Sec. 391. Before entering upon the duties of his office, and before he shall receive any salary, the Postmaster-General and each of the persons employed in the postal service shall

respectively take and subscribe, before some magistrate or other competent officer, the following oath: "I, A. B., do solemnly swear (or affirm) that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the laws in relation to the establishment of post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control: So help me, God."

Sec. 415. There shall be at the seat of Government an Executive Department, to be known as the Department of the Navy, and a Secretary of the Navy, who shall be the head thereof.

Establishment of the Department of the Navy. 30 April, 1798, c. 36, s. 1, v. 1, p. 563.

Sec. 437. There shall be at the seat of Government an Executive Department to be known as the Department of the Interior, and a Secretary of the Interior, who shall be the head thereof.

Establishment of Department of the Interior. 8 Mar., 1849, c. 108, s. 1, v. 9, p. 306.

Sec. 1756. Every person elected or appointed to any office of honor or profit, either in the civil, military, or naval service, excepting the President and the persons embraced by the section following, shall, before entering upon the duties of such office, and before being entitled to any part of the salary or other emoluments thereof, take and subscribe the following oath: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take

Form of oath of office. 2 July, 1862, c. 128, v. 12, p. 502.

Ex parte Garland, 4 Wall., 332.

this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."

Oath for certain persons.
11 July, 1868,
c. 139, v. 15, p. 85.
15 Feb., 1871, c. 53,
v. 16, p. 412.

Sec. 1757. Whenever any person who is not rendered ineligible to office by the provisions of the fourteenth amendment to the Constitution is elected or appointed to any office of honor or trust under the Government of the United States, and is not able, on account of his participation in the late rebellion, to take the oath prescribed in the preceding section, he shall, before entering upon the duties of his office, take and subscribe in lieu of that oath the following oath: "I, A. B., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Who may administer oath.
6 Aug., 1861, c. 64,
s. 2, v. 12, p. 326.
18 April, 1876,
c. 60, v. 19, p. 84.

Sec. 1758. The oath of office required by either of the two preceding sections may be taken before any officer who is authorized either by the laws of the United States, or by the local municipal law, to administer oaths, in the State, Territory, or District where such oath may be administered.

Custody of oath.
2 July, 1862, c.
123, v. 13, p. 502.

Sec. 1759. The oath of office taken by any person pursuant to the requirements of section seventeen hundred and fifty-six, or of section seventeen hundred and fifty-seven, shall be delivered in by him to be preserved among the files of the House of Congress, Department, or court to which the office in respect to which the oath is made may appertain.

Tenure of office.
2 Mar., 1867,
c. 154, s. 1,
v. 14, p. 430.
5 April, 1869, c. 10,
s. 1, v. 16, p. 6.
Embry's Case, 13
C. Cl. 455.

Sec. 1767. Every person holding any civil office to which he has been or hereafter may be appointed by and with the advice and consent of the Senate, and who shall have become duly qualified to act therein, shall be entitled to hold such office during the term for which he was appointed, unless sooner removed by and with the advice and consent of the Senate, or by the appointment, with the like advice and con-

sent, of a successor in his place, except as herein otherwise provided.

Sec. 1768. During any recess of the Senate the President is authorized, in his discretion, to suspend any civil officer appointed by and with the advice and consent of the Senate, except judges of the courts of the United States, until the end of the next session of the Senate, and to designate some suitable person, subject to be removed, in his discretion, by the designation of another, to perform the duties of such suspended officer in the meantime; and the person so designated shall take the oath and give the bond required by law to be taken and given by the suspended officer, and shall, during the time he performs the duties of such officer, be entitled to the salary and emoluments of the office, no part of which shall belong to the officer suspended. The President shall, within thirty days after the commencement of each session of the Senate, except for any office which in his opinion ought not to be filled, nominate persons to fill all vacancies in office which existed at the meeting of the Senate, whether temporarily filled or not, and also in the place of all officers suspended; and if the Senate during such session shall refuse to advise and consent to an appointment in the place of any suspended officer, then, and not otherwise, the President shall nominate another person as soon as practicable to the same session of the Senate for the office.

Suspension and filling vacancies.
2 Mar., 1867,
c. 154, s. 2,
v. 14, p. 430.
5 April, 1869, c. 10,
s. 2, v. 16, p. 7.
Embry's Case.
13 C. Cl. 453.

Sec. 1769. The President is authorized to fill all vacancies which may happen during the recess of the Senate by reason of death or resignation or expiration of term of office, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, is made to an office so vacant or temporarily filled during such next session of the Senate, the office shall remain in abeyance, without any salary, fees, or emoluments attached thereto, until it is filled by appointment thereto by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by

Filling vacancies temporarily.
2 Mar., 1867,
c. 154, s. 3,
v. 14, p. 430.
5 April, 1869, c.
10, s. 3, v. 16, p. 7.

such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

Term of office not to be extended.
2 Mar., 1867,
c. 154, s. 4,
v. 14, p. 451.
Sec. 1770. Nothing in sections seventeen hundred and sixty-seven, seventeen hundred and sixty-eight, or seventeen hundred and sixty-nine shall be construed to extend the term of any office the duration of which is limited by law.

Accepting or exercising office contrary to law.
2 Mar., 1867,
c. 154, s. 5,
v. 14, p. 451.
Sec. 1771. Every person who, contrary to the four preceding sections, accepts any appointment to or employment in any office, or holds or exercises, or attempts to hold or exercise, any such office or employment, shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

Removing, appointing, or commissioning officer contrary to law.
2 Mar., 1867,
c. 154, s. 6,
v. 14, p. 451.
Sec. 1772. Every removal, appointment, or employment, made, had, or exercised, contrary to sections seventeen hundred and sixty-seven, to seventeen hundred and seventy, inclusive, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed a high misdemeanor, and every person guilty thereof shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

Conspiracy to prevent the support of any candidate, &c.
20 April, 1871,
c. 22, s. 2,
v. 17, pp. 13, 14.
Sec. 5520. If two or more persons in any State or Territory conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy, in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice-President, or as a member of the Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment.

**THE ADMINISTRATION
OF
JAMES A. GARFIELD**

March 4, 1881 to September 19, 1881

234 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTY-FOURTH TERM, COMMENCING 4TH MARCH, 1861, AND TERMINATING 3RD MARCH, 1865.

Number of Electoral Votes.	STATES.	President.				Vice President.			
		The vote of Georgia, cast on 8th December, second Wednesday of the month. If counted,		The vote of Georgia, cast on 8th December, second Wednesday of the month. If not counted, (See Sec. 135, R.S.)		The vote of Georgia, cast on 8th December, second Wednesday of the month. If counted,		The vote of Georgia, cast on 8th December, second Wednesday of the month. If not counted,	
		James A. Garfield, of Ohio.	Winfield S. Hancock, of Pennsylvania.	James A. Garfield, of Ohio.	Winfield S. Hancock, of Pennsylvania.	Chester A. Arthur, of New York.	William H. English, of Indiana.	Chester A. Arthur, of New York.	William H. English, of Indiana.
10	Alabama.....	..	10	..	10	..	10	..	10
6	Arkansas.....	..	6	..	6	..	6	..	6
6	California.....	1	5	1	5	1	5	1	5
3	Colorado.....	..	3	..	3	..	3	..	3
6	Connecticut.....	6	..	6	..	6	..	6	..
3	Delaware.....	..	3	..	3	..	3	..	3
4	Florida.....	..	4	..	4	..	4	..	4
11	Georgia.....	..	11	..	..	..	11	..	..
21	Illinois.....	21	..	21	..	21	..	21	..
15	Indiana.....	15	..	15	..	15	..	15	..
11	Iowa.....	11	..	11	..	11	..	11	..
5	Kansas.....	5	..	5	..	5	..	5	..
12	Kentucky.....	..	12	..	12	..	12	..	12
8	Louisiana.....	..	8	..	8	..	8	..	8
7	Maine.....	7	..	7	..	7	..	7	..
8	Maryland.....	..	8	..	8	..	8	..	8
13	Massachusetts.....	13	..	13	..	13	..	13	..
11	Michigan.....	11	..	11	..	11	..	11	..
6	Minnesota.....	5	..	5	..	5	..	5	..
8	Mississippi.....	..	8	..	8	..	8	..	8
15	Missouri.....	..	15	..	15	..	15	..	15
3	Nebraska.....	3	..	3	..	3	..	3	..
3	Nevada.....	..	3	..	3	..	3	..	3
5	New Hampshire.....	5	..	5	..	5	..	5	..
9	New Jersey.....	..	9	..	9	..	9	..	9
35	New York.....	35	..	35	..	35	..	35	..
10	North Carolina.....	..	10	..	10	..	10	..	10
22	Ohio.....	22	..	22	..	22	..	22	..
3	Oregon.....	3	..	3	..	3	..	3	..
29	Pennsylvania.....	29	..	29	..	29	..	29	..
4	Rhode Island.....	4	..	4	..	4	..	4	..
7	South Carolina.....	..	7	..	7	..	7	..	7
12	Tennessee.....	..	12	..	12	..	12	..	12
8	Texas.....	..	8	..	8	..	8	..	8
5	Vermont.....	5	..	5	..	5	..	5	..
11	Virginia.....	..	11	..	11	..	11	..	11
5	West Virginia.....	..	5	..	5	..	5	..	5
10	Wisconsin.....	10	..	10	..	10	..	10	..
369, whole number; necessary to elect, 185.		214	155	214	144	214	155	214	144
Popular vote.....		4,449,053	4,442,035						
Plurality.....		7,018							

JAMES A. GARFIELD, Ohio, (Died September 19, 1881).

CHESTER A. ARTHUR, New York.

March 4, 1881, to September 19, 1881.

SECRETARY OF STATE.

WILLIAM M. EVARTS, of New York, continued from last administration; resigned March 4, 1881; served to March 7, 1881.

JAMES G. BLAINE, of Maine, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 7, 1881; served through remainder of Garfield's administration.

SECRETARY OF THE TREASURY.

HENRY F. FRENCH, of Massachusetts (Assistant Secretary), *ad interim* March 4, 1881, to March 7, 1881.

WILLIAM WINDOM, of Minnesota, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 8, 1881; served through remainder of Garfield's administration.

SECRETARY OF WAR.

ALEXANDER RAMSEY, of Minnesota, continued from last administration; resigned March 4, 1881; served to March 10, 1881.

ROBERT T. LINCOLN, of Illinois, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 11, 1881; served through remainder of Garfield's administration.

ATTORNEY GENERAL.

CHARLES DEVENS, of Massachusetts, continued from last administration; resigned March 4, 1881; served to March 7, 1881.

WAYNE MACVEAGH, of Pennsylvania, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 7, 1881; served through remainder of Garfield's administration.

POSTMASTER GENERAL.

HORACE MAYNARD, of Tennessee, continued from last administration; resigned March 4, 1881; served to March 7, 1881.

THOMAS L. JAMES, of New York, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 8, 1881; served through remainder of Garfield's administration.

SECRETARY OF THE NAVY.

NATHAN GOFF, JR., of West Virginia, continued from last administration; resigned March 4, 1881; served to March 7, 1881.

WILLIAM H. HUNT, of Louisiana, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 7, 1881; served through remainder of Garfield's administration.

SECRETARY OF THE INTERIOR.

CARL SCHURZ, of Missouri, continued from last administration; resigned March 4, 1881; served to March 7, 1881.

SAMUEL J. KIRKWOOD, of Iowa, nominated, confirmed and commissioned March 5, 1881; entered upon duties March 8, 1881; served through remainder of Garfield's administration.

PUBLIC ANNOUNCEMENT.

[From the New York Herald, September 20, 1881.]

Elberon, N. J., September 19—11.30 p. m.

The President died at thirty-five minutes past 10 p. m. After the bulletin was issued at half past 5 this evening the

President continued in much the same condition as during the afternoon, the pulse varying from 102 to 106, with rather increased force and volume. After taking nourishment he fell into a quiet sleep about thirty-five minutes before his death, and while asleep his pulse ran to 120 and was somewhat more feeble. At ten minutes after 10 o'clock he awoke, complaining of severe pain over the region of the heart, and almost immediately became unconscious, and ceased to breathe at twenty-five minutes to 11.

D. W. BLISS,
FRANK H. HAMILTON,
D. HAYES AGNEW.

[From New York Times, September 20, 1881.]

TELEGRAM.

Long Branch, N. J., September 19, 1881.

HON. CHESTER A. ARTHUR,

No. 123 Lexington Avenue, New York.

It becomes our painful duty to inform you of the death of President Garfield and to advise you to take the oath of office as President of the United States without delay. If it concur with your judgment, we will be very glad if you will come here on the earliest train to-morrow morning.

WILLIAM WINDOM,

Secretary of the Treasury,

WILLIAM H. HUNT,

Secretary of the Navy,

THOMAS L. JAMES,

Postmaster General,

WAYNE MACVEAGH,

Attorney General,

S. J. KIRKWOOD,

Secretary of the Interior.

(Secretaries Blaine and Lincoln were not at Long Branch at the time.)

[From the Evening Star, Washington, September 20, 1881.]

New York, September 20, 1881.

I have your message announcing the death of President Garfield. Permit me to renew through you the expression of sorrow and sympathy which I have already telegraphed to Attorney General MacVeagh. In accordance with your suggestion, I have taken the oath of office as President before the Hon. John R. Brady, Justice of the Supreme Court of the State of New York. I will soon advise you further in regard to the other suggestion in your telegram.

C. A. ARTHUR.

(Addressed to the Cabinet.)

[The Washington Post, September 23, 1881.]

The formal oath of office was administered to President Arthur in the Vice President's room in the Capitol at 12.10 p. m. on Thursday, September 22, 1881, by Chief Justice Morrison R. Waite, of the Supreme Court of the United States. He was accompanied to the Capitol by Senator John P. Jones, General Grant, and General Beale, and took the oath in the presence of ex-Presidents Grant and Hayes, members of the cabinet, Associate Justices Harlan and Matthews, General Sherman, Senators Hale, Jones, of Nevada, Anthony, Blair, Garland, Dawes, Sherman, Jones, of Florida, and Representatives Hiscock, McCook, Errett, Townsend, Speaker Sharpe, of New York, Cornelius N. Bliss, and others. He then read the following inaugural address:

"For the fourth time in the history of the Republic its Chief Magistrate has been removed by death. All hearts are filled with grief and horror at the hideous crime which has darkened our land; and the memory of the murdered President, his protracted sufferings, his unyielding fortitude; the example and achievements of his life and the pathos of his death will forever illumine the pages of our history. For the fourth time the officer elected by the people and ordained by the Constitution to fill a vacancy so created is called to assume the Executive chair. The wisdom of our fathers, foreseeing even the most dire possibilities, made sure that the Government should never be imperilled because of the uncertainty of human life. Men may die, but the fabrics of our free institutions remain unshaken.

No higher or more assuring proof could exist of the strength and permanence of popular government than the fact that though the chosen of the people be struck down his constitutional successor is peacefully installed without shock or strain except the sorrow which mourns the bereavement. All the noble aspirations of my lamented predecessor which found expression in his life, the measures devised and suggested during his brief administration to correct abuses and enforce economy; to advance prosperity and promote the

general welfare; to ensure domestic security and maintain friendly and honorable relations with the nations of the earth, will be garnered in the hearts of the people, and it will be my earnest endeavor to profit, and to see that the Nation shall profit, by his example and experience. Prosperity blesses our country, our fiscal policy is fixed by law, is well grounded and generally approved.

No threatening issue mars our foreign intercourse, and the wisdom, integrity, and thrift of our people may be trusted to continue undisturbed the present assured career of peace, tranquillity and welfare. The gloom and anxiety which have enshrouded the country must make repose especially welcome now.

No demand for speedy legislation has been heard. No adequate occasion is apparent for an unusual session of Congress. The Constitution defines the functions and powers of the Executive as clearly as those of either of the other two departments of the Government, and he must answer for the just exercise of the discretion it permits and the performance of the duties it imposes. Summoned to these high duties and responsibilities, and profoundly conscious of their magnitude and gravity, I assume the trust imposed by the Constitution, relying for aid on Divine guidance and the virtue, patriotism, and intelligence of the American people."

CHESTER A. ARTHUR, of New York.

THOMAS F. BAYARD, Delaware, DAVID DAVIS, Illinois, GEORGE F. EDMUNDS, Vermont,	}	Presidents <i>pro tempore</i> of the Senate.
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September 20, 1881, to March 3, 1885.

SECRETARY OF STATE.

JAMES G. BLAINE, of Maine, continued from Garfield's administration; resigned September 22, 1881; served to December 19, 1881.

FREDERICK T. FRELINGHUYSEN, of New Jersey, nominated, confirmed and commissioned December 12, 1881; entered upon duties December 19, 1881; served through remainder of the administration.

SECRETARY OF THE TREASURY.

WILLIAM WINDOM, of Minnesota, continued from Garfield's administration; resigned September 22, 1881; served to November 14, 1881.

EDWIN D. MORGAN, of New York, nominated and confirmed October 24, 1881; declined October 25, 1881.

CHARLES J. FOLGER, of New York, nominated, confirmed and commissioned October 27, 1881; entered upon duties November 14, 1881; died September 4, 1884.

CHARLES E. COON, of New York (Assistant Secretary), *ad interim* September 4, 1884, to September 7, 1884.

HENRY F. FRENCH, of Massachusetts, (Assistant Secretary), *ad interim* September 8, 1884, to September 14, 1884.

CHARLES E. COON, of New York, (Assistant Secretary), *ad interim* September 15, 1884, to September 24, 1884.

WALTER Q. GRESHAM, of Indiana, commissioned, (recess of the Senate) September 24, 1884; entered upon duties

September 25, 1884; served to October 29, 1884, when he resigned to accept appointment as United States Circuit Judge.

HUGH McCULLOCH, of Indiana, commissioned, (recess of the Senate) October 28, 1884; entered upon duties October 31, 1884; nominated December 3, 1884; confirmed and recommissioned December 18, 1884; served through remainder of the administration.

SECRETARY OF WAR.

ROBERT T. LINCOLN, of Illinois, continued from Garfield's administration; resigned September 22, 1881, but served through the administration.

ATTORNEY GENERAL.

WAYNE MACVEAGH, of Pennsylvania, continued from Garfield's administration; resigned September 22, 1881; served to November 14, 1881.

SAMUEL F. PHILLIPS, of North Carolina (Solicitor General), *ad interim* November 14, 1881, to January 2, 1882.

BENJAMIN H. BREWSTER, of Pennsylvania, nominated December 16, 1881; confirmed and commissioned December 19, 1881; entered upon duties January 3, 1882; served through remainder of the administration.

POSTMASTER GENERAL.

THOMAS L. JAMES, of New York, continued from Garfield's administration; resigned September 22, 1881, but continued to serve; renominated, confirmed and commissioned October 27, 1881, under act of June 8, 1872; resigned December 12, 1881, to take effect January 1, 1882; served to January 4, 1882.

TIMOTHY O. HOWE, of Wisconsin, nominated, confirmed and commissioned December 20, 1881; entered upon duties January 5, 1882; died March 25, 1883.

FRANK HATTON, of Iowa (First Assistant Postmaster General), *ad interim* March 26, 1883, to April 10, 1883.

WALTER Q. GRESHAM, of Indiana, commissioned (recess of the Senate) April 3, 1883; entered upon duties April 11, 1883; nominated December 5, 1883; confirmed and recommissioned December 11, 1883; appointed Secretary of the Treasury September 24, 1884.

FRANK HATTON, of Iowa (First Assistant Postmaster General), *ad interim* September 25, 1884, to October 13, 1884.

FRANK HATTON, of Iowa, commissioned (recess of the Senate) October 14, 1884; nominated December 2, 1884; confirmed and recommissioned December 4, 1884; served through remainder of the administration.

SECRETARY OF THE NAVY.

WILLIAM H. HUNT, of Louisiana, continued from Garfield's administration; resigned September 22, 1881; served to April 16, 1882; appointed Envoy Extraordinary and Minister Plenipotentiary to Russia April 12, 1882.

WILLIAM E. CHANDLER, of New Hampshire, nominated April 6, 1882; confirmed and commissioned April 12, 1882; entered upon duties April 17, 1882; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

SAMUEL J. KIRKWOOD, of Iowa, continued from Garfield's administration; resigned September 22, 1881; served to April 17, 1882.

HENRY M. TELLER, of Colorado, nominated, confirmed and commissioned April 6, 1882; entered upon duties April 17, 1882; resigned March 3, 1885.

[Supplement to the Revised Statutes of the United States, Vol. 1
2nd Edition, 1874-1891, p. 373.]

Chap. 389.—*An act making appropriations for the legislative, executive, and judicial expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes.* August 5, 1882.
22 Stat. L., 219.

Be it enacted, &c., * * * *

* * * *

Commanding (Par. 4.) That the President may authorize and direct
General or the commanding general of the Army or the chief of any mili-
Chief of Bureau tary bureau of the War Department to perform the duties of
may be acting Secretary of War under the provisions of section one hun-
Secretary of War. R. S., secs. 179, 1222.
1874, March 4, dred and seventy-nine of the Revised Statutes, and section
ch. 44, ante, p. 4. twelve hundred and twenty-two of the Revised Statutes shall
1890, March 5, ch. not be held or taken to apply to the officer so designated by
26, post, p. 707. reason of his temporarily performing such duties.

* * * *

[Supplement to the Revised Statutes of the United States, Vol. 1,
2nd Edition, 1874-1891, p. 428.]

May 12, 1884. Chap. 46.—*An act amending the Revised Statutes of the*
23 Stat. L., 21. *United States in respect of official oaths, and for other pur-
poses.*

Be it enacted, &c.,

* * * *

Sec. 2. That section seventeen hundred and fifty-six of
the Revised Statutes be, and the same is hereby, repealed;

Official oath, And hereafter the oath to be taken by any person elected
form of. R. S. sec. 1757, or appointed to any office of honor or profit either in the civil,
1890, Aug. 29, military, or naval service, except the President of the United
ch. 820, sec. 1, States, shall be as prescribed in section seventeen hundred
post, p. 791. and fifty-seven of the Revised Statutes.

Repeal of R. S., But this repeal shall not affect the oaths prescribed by ex-
sec. 1756. isting statutes in relation to the performance of duties in
special or particular sub-ordinate offices and employments.

Existing rights, Sec. 3. That the provisions of this act shall in no manner
duties, penalties, affect any right, duty, claim, obligation, or penalty now exist-
&c., not affected. ing or already incurred; and all and every such right, duty,
claim, obligation, and penalty shall be heard, tried, and deter-
mined, and effect shall be given thereto, in the same manner
as if this act had not been passed.

* * * *

**THE ADMINISTRATION
OF
GROVER CLEVELAND**

FIRST TERM

March 4, 1885, to March 3, 1889

248 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTY-FIFTH TERM, COMMENCING 4TH
MARCH, 1885, AND TERMINATING 3RD MARCH, 1890.

Number of Electoral Votes.	STATES.	President.		Vice President.	
		Grover Cleveland, of New York.	James G. Blaine, of Maine.	Thomas A. Hendricks, of Indiana.	John A. Logan, of Illinois.
10	Alabama	10	..	10	..
7	Arkansas	7	..	7	..
8	California ..	..	8	..	8
3	Colorado .....	..	3	..	3
6	Connecticut ..	6	..	6	..
3	Delaware	3	..	3	..
4	Florida	4	..	4	..
12	Georgia	12	..	12	..
22	Illinois .....	..	22	..	22
15	Indiana	15	..	15	..
13	Iowa .....	..	13	..	13
9	Kansas	13	9	..	9
13	Kentucky ..	13	..	13	..
8	Louisiana	8	..	8	..
6	Maine .....	..	6	..	6
8	Maryland	8	..	8	..
14	Massachusetts ..	..	14	..	14
13	Michigan .....	..	13	..	13
7	Minnesota .....	..	7	..	7
9	Mississippi	9	..	9	..
16	Missouri	16	..	16	..
5	Nebraska .....	..	5	..	5
3	Nevada .....	..	3	..	3
4	New Hampshire ..	..	4	..	4
9	New Jersey	9	..	9	..
36	New York	36	..	36	..
11	North Carolina ..	11	..	11	..
23	Ohio .....	..	23	..	23
3	Oregon .....	..	3	..	3
30	Pennsylvania .....	..	30	..	30
4	Rhode Island .....	..	4	..	4
9	South Carolina ..	9	..	9	..
12	Tennessee	12	..	12	..
13	Texas	13	..	13	..
4	Vermont .....	..	4	..	4
12	Virginia	12	..	12	..
6	West Virginia ..	6	..	6	..
11	Wisconsin .....	..	11	..	11
401, whole number; necessary to elect, 202.		219	182	219	182
Popular vote		4,911,017	4,848,334		
Plurality		62,683			

GROVER CLEVELAND, New York.

THOMAS A. HENDRICKS, Indiana (Died November 25, 1885).

JOHN SHERMAN, Ohio, }
JOHN J. INGALLS, Kansas, } Presidents *pro tempore*
 } of the Senate.

March 4, 1885, to March 3, 1889.

SECRETARY OF STATE.

FREDERICK T. FRELINGHUYSEN, of New Jersey, continued from last administration; resigned, and served to March 6, 1885.

THOMAS F. BAYARD, of Delaware, nominated March 5, 1885; confirmed and commissioned March 6, 1885; entered upon duties March 7, 1885; served through remainder of the administration.

SECRETARY OF THE TREASURY.

HUGH McCULLOCH, of Indiana, continued from last administration; resigned, and served to March 7, 1885.

DANIEL MANNING, of New York, nominated March 5, 1885; confirmed and commissioned March 6, 1885; entered upon duties March 8, 1885; resigned February 14, 1887; served to March 31, 1887.

CHARLES S. FAIRCHILD, of New York, commissioned (recess of the Senate) April 1, 1887; entered upon duties same day; nominated December 6, 1887; confirmed and re-commissioned December 15, 1887; served through remainder of the administration.

SECRETARY OF WAR.

ROBERT T. LINCOLN, of Illinois, continued from last administration; resigned, and served to March 6, 1885.

WILLIAM C. ENDICOTT, of Massachusetts, nominated March 5, 1885; confirmed and commissioned March 6, 1885;

entered upon duties March 7, 1885; served through remainder of the administration.

ATTORNEY GENERAL.

BENJAMIN H. BREWSTER, of Pennsylvania, continued from last administration; resigned, and served to March 8, 1885.

AUGUSTUS H. GARLAND, of Arkansas, nominated March 5, 1885; confirmed and commissioned March 6, 1885; entered upon duties March 9, 1885; served through remainder of the administration.

POSTMASTER GENERAL.

FRANK HATTON, of Iowa, continued from last administration; resigned, and served to March 6, 1885.

WILLIAM F. VILAS, of Wisconsin, nominated March 5, 1885; confirmed and commissioned March 6, 1885; entered upon duties March 7, 1885; served to January 16, 1888, when appointed Secretary of the Interior.

DON M. DICKINSON, of Michigan, nominated December 6, 1887; confirmed and commissioned January 16, 1888; entered upon duties January 17, 1888; served through remainder of the administration.

SECRETARY OF THE NAVY.

WILLIAM E. CHANDLER, of New Hampshire, continued from last administration; resigned, and served to March 6, 1885.

WILLIAM C. WHITNEY, of New York, nominated March 5, 1885; confirmed and commissioned March 6, 1885; entered upon duties March 7, 1885; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

MERRITT L. JOSLYN, of Illinois (Assistant Secretary), *ad interim* March 4, 1885, to March 7, 1885.

LUCIUS Q. C. LAMAR, of Mississippi, nominated March 5, 1885; confirmed and commissioned March 6, 1885; entered upon duties March 7, 1885; resigned January 7, 1888; served to January 10, 1888; appointed Associate Justice of the Supreme Court of the United States January 16, 1888.

HENRY L. MULDROW, of Mississippi (First Assistant Secretary), *ad interim* January 11, 1888, to January 16, 1888.

WILLIAM F. VILAS, of Wisconsin, nominated December 6, 1887; confirmed and commissioned January 16, 1888; entered upon duties January 17, 1888; served through remainder of the administration.

SECRETARY OF AGRICULTURE.*

NORMAN J. COLMAN, of Missouri, nominated February 11, 1889; confirmed and commissioned February 13, 1889; served through remainder of the administration.

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, 1874-1891, p. 487.]

Chap. 4.—*An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President.* January 19, 1886.
24 Stat. L., 1.

Be it enacted &c., That in case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the Secretary of State, or if there be none, or in case of his removal, death, resignation or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Postmaster-General, or if there be none, or in case of his In case of death,
&c., of President
and Vice-President,
who to act as
President.
R. S., secs. 146-151.

* The Department of Agriculture was established as an Executive Department by Act approved February 9, 1889.

removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal death, resignation, or inability, then the Secretary of the Interior, shall act as President until the disability of the President or Vice-President is removed or a President shall be elected:

Congress to be convened. *Provided*, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session, or if it would not meet in accordance with the law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

Officers named excluded in certain cases from so acting. Sec. 2. That the preceding section shall only be held to describe and apply to such officers as shall have been appointed by the advice and consent of the Senate to the offices therein named, and such as are eligible to the office of President under the Constitution, and not under impeachment by the House of Representatives of the United States at the time the powers and duties of the office shall devolve upon them respectively.

Repeal of R. S., secs. 146-150. Sec. 3. That sections one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight, one hundred and forty-nine, and one hundred and fifty of the Revised Statutes are hereby repealed. (*January 19, 1886.*)

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, p. 525.]

Feb. 3, 1887.
24 Stat. L., 373. Chap. 90.—*An act to fix the day for the meeting of the electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon.*

Presidential electors, when to meet and vote.
R. S., secs. 181-185. *Be it enacted, &c.*, That the electors of each State shall meet and give their votes on the second Monday in January next following their appointment, at such place in each State as the legislature of such State shall direct.

Sec. 2. That if any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to the said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

Determination under State laws, of controversy as to appointment of electors, to be conclusive, if made 6 days before meeting. R. S., sec. 133.

Sec. 3. That it shall be the duty of the executive of each State, as soon as practicable after the conclusion of the appointment of electors in such State, by the final ascertainment under and in pursuance of the laws of such State providing for such ascertainment, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast;

Certificate of appointment of electors, to be sent to Secretary of State

And it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by the preceding section to meet, the same certificate, in triplicate, under the seal of the State;

and delivered to the electors. R. S., secs. 138-140. 1888, Oct. 19, ch. 1216, post, p. 635.

And such certificate shall be inclosed and transmitted by the electors at the same time and in the same manner as is provided by law for transmitting by such electors to the seat of Government the lists of all persons voted for as President and of all persons voted for as Vice-President;

Certificates and votes of electors have to be transmitted.

And section one hundred and thirty-six of the Revised Statutes is hereby repealed;

Repeal of R. S., sec. 136.

Certificate of
determination of
controversy to be
sent to Secretary
of State.

And if there shall have been any final determination in a State of a controversy or contest as provided for in section two of this act, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such determination, in form and manner as the same shall have been made;

Certificates to
be published.

And the Secretary of State of the United States, as soon as practicable after the receipt at the State Department of each of the certificates hereinbefore directed to be transmitted to the Secretary of State, shall publish, in such public newspaper as he shall designate, such certificates in full;

Copies to be sent
to Congress.

And at the first meeting of Congress thereafter he shall transmit to the two Houses of Congress copies in full of each and every such certificate so received theretofore at the State Department.

Counting electoral
votes in Congress.
R. S., sec. 142.

Sec. 4. That Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors.

The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of one o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer.

Opening and read-
ing certificates.

Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates;

Announcement
of vote.

And the votes having been ascertained and counted in the manner and according to the rules in this act provided, the result of the same shall be delivered to the President

of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received.

When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision;

And no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section three of this act from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified.

If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section two of this act to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State;

Objection to be
in writing.

Decisions on
objections.

Return, if only
one from State,
not to be rejected.

In case of con-
flicting returns
those votes only
to be counted
determined
according to
this act.

If determination questioned, concurrence of two Houses required. But in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section two of this act, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such States shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its laws;

If no determination by State authorities; concurrent vote required. And in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State.

If Houses disagree, votes certified by State Executive to be counted. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the Executive of the State, under the seal thereof, shall be counted.

Announcement of decision of each House. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted.

Objection to each State to be acted on. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

Preservation of order. Sec. 5. That while the two Houses shall be in meeting as provided in this act the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

No debate in joint meeting of Houses.

Limit of debate in each House. Sec. 6. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once;

But after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

Sec. 7. That at such joint meeting of the two Houses Joint meeting of Houses; seats for officers and members. seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform.

Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; Not to dissolve until result is declared.

And no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of ten o'clock in the forenoon. Recess, when may be taken.

But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House. (*February 3, 1887.*) —when may not be taken.

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, p. 558.]

Chap. 353.—*An act to repeal certain sections of the Revised Statutes of the United States relating to the appointment of civil officers.* March 3, 1887. 24 Stat. L., 830.

Be it enacted, &c., That sections seventeen hundred and sixty-seven, seventeen hundred and sixty-eight, seventeen hundred and sixty-nine, seventeen hundred and seventy, seventeen hundred and seventy-one, and seventeen hundred Tenure of office, repeal of provisions relating to. Repeal of R. S. secs. 1767-1772.

and seventy-two of the Revised Statutes of the United States are hereby repealed.

Sec. 2. (Expired.) (March 3, 1887.)

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, p. 635.]

October 19, 1888.
25 Stat. L. 613.

Chap. 1216.—*An act supplementary to the act approved February third, eighteen hundred and eighty-seven, entitled "An act to fix the day for the meeting of the electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon."*

Lists of votes
for President, &c.,
to be forwarded
to President of
Senate.
R. S., sec. 140.
1887, Feb. 3, ch.
90, sec. 3, ante,
p. 525.

Be it enacted, &c., That the certificates and lists of votes for President and Vice-President of the United States, mentioned in chapter one of title three of the Revised Statutes of the United States, and in the act to which this is a supplement, shall be forwarded, in the manner therein provided, to the President of the Senate forthwith after the second Monday in January, on which the electors shall give their votes.

When Secretary
of State shall
send for district
judges' list.

Sec. 2. That section one hundred and forty-one of the Revised Statutes of the United States is hereby so amended as to read as follows:

Substitute for
R. S., sec. 141.

"Sec. 141. Whenever a certificate of votes from any State has not been received at the seat of Government on the fourth Monday of the month of January in which their meeting shall have been held, the Secretary of State shall send a special messenger to the district judge in whose custody one certificate of the votes from that State has been lodged, and such judge shall forthwith transmit that list to the seat of Government." (October 19, 1888.)

[United States Statutes at Large, Vol. 25, p. 659.]

February 9, 1889.

Chap. 122.—*An act to enlarge the powers and duties of the Department of Agriculture and to create an Executive Department to be known as the Department of Agriculture.*

Department of
Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

the Department of Agriculture, shall be an Executive Department, under the supervision and control of a Secretary of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such Department, and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department.

To be an Executive Department.

R. S. sec. 158, p. 26, amended.

R. S., Title IV, applicable.

Sec. 2. That there shall be in said Department an Assistant Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the Senate, who shall perform such duties as may be required by law or prescribed by the Secretary.

Assistant Secretary.

Sec. 3. That the Secretary of Agriculture shall receive the same salary as is paid to the Secretary of each of the Executive Departments, and the salary of the Assistant Secretary of Agriculture shall be the same as that now paid to the First Assistant Secretary of the Department of the Interior.

Salaries.

Sec. 4. That all laws and parts of laws relating to the Department of Agriculture now in existence, as far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect.*

Existing laws.

Approved, February 9, 1889.

* The Department of Agriculture was established by Act of Congress approved May 15, 1862, with a Commissioner of Agriculture in charge.

**THE ADMINISTRATION
OF
BENJAMIN HARRISON**

March 4, 1889, to March 3, 1893

**ELECTION FOR THE TWENTY-SIXTH TERM, COMMENCING 4TH
MARCH, 1889, AND TERMINATING 3RD MARCH, 1893.**

Number of Electoral Votes.	STATES.	President.		Vice President.	
		Benjamin Harrison, of Indiana.	Grover Cleveland, of New York.	Levi P. Morton, of New York.	Allen G. Thurman, of Ohio.
10	Alabama .....	..	10	..	10
7	Arkansas .....	..	7	..	7
8	California	8	..	8	..
3	Colorado .....	..	8	..	3
6	Connecticut .....	..	3	..	6
3	Delaware .....	..	3	..	3
4	Florida .....	..	4	..	4
12	Georgia .....	..	12	..	12
22	Illinois	22	..	22	..
15	Indiana	15	..	15	..
13	Iowa	13	..	13	..
9	Kansas	9	..	9	..
13	Kentucky .....	..	13	..	13
8	Louisiana .....	..	8	..	8
6	Maine	6	..	6	..
8	Maryland .....	..	8	..	8
14	Massachusetts	14	..	14	..
13	Michigan	13	..	13	..
7	Minnesota	7	..	7	..
9	Mississippi .....	..	9	..	9
16	Missouri .....	..	16	..	16
5	Nebraska	5	..	5	..
3	Nevada	3	..	3	..
4	New Hampshire	4	..	4	..
9	New Jersey .....	..	9	..	9
36	New York	36	..	36	..
11	North Carolina .....	..	11	..	11
23	Ohio	23	..	23	..
3	Oregon	3	..	3	..
30	Pennsylvania	30	..	30	..
4	Rhode Island	4	..	4	..
9	South Carolina .....	..	9	..	9
12	Tennessee .....	..	12	..	12
13	Texas .....	..	13	..	13
4	Vermont	4	..	4	..
12	Virginia .....	..	12	..	12
6	West Virginia .....	..	6	..	6
11	Wisconsin	11	..	11	..
401, whole number; necessary to elect, 202.		233	168	233	168
Popular vote		5,440,216	5,538,233		
Plurality			98,017		

BENJAMIN HARRISON, Indiana.

LEVI P. MORTON, New York.

March 4, 1889, to March 3, 1893.

SECRETARY OF STATE.

THOMAS F. BAYARD, of Delaware, continued from last administration; resigned, and served to March 6, 1889.

JAMES G. BLAINE, of Maine, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 7, 1889; served to June 4, 1892, on which day he resigned.

WILLIAM F. WHARTON, of Massachusetts (Assistant Secretary), *ad interim* June 4, 1892, to June 29, 1892.

JOHN W. FOSTER, of Indiana, nominated, confirmed and commissioned June 29, 1892; entered upon duties same day; resigned February 21, 1893; served to February 23, 1893; appointed Agent of the United States before the Bering Sea Arbitration Tribunal at Paris.

WILLIAM F. WHARTON, of Massachusetts (Assistant Secretary), *ad interim* February 23, 1893, to close of the administration.

SECRETARY OF THE TREASURY.

CHARLES S. FAIRCHILD, of New York, continued from last administration; resigned, and served to March 6, 1889.

WILLIAM WINDOM, of Minnesota, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 7, 1889; died January 29, 1891.

ALLURED B. NETTLETON, of Minnesota (Assistant Secretary), *ad interim* January 30, 1891, to February 24, 1891.

CHARLES FOSTER, of Ohio, nominated February 23, 1891; confirmed and commissioned February 24, 1891; entered upon duties February 25, 1891; served through remainder of the administration.

SECRETARY OF WAR.

WILLIAM C. ENDICOTT, of Massachusetts, continued from last administration; resigned, and served to March 5, 1889.

REDFIELD PROCTOR, of Vermont, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 6, 1889; resigned November 3, 1891; served to December 5, 1891.

LEWIS A. GRANT, of Minnesota (Assistant Secretary), *ad interim* December 6, 1891, to December 24, 1891.

STEPHEN B. ELKINS, of West Virginia, nominated December 17, 1891; confirmed and commissioned December 22, 1891; entered upon duties December 24, 1891; served through remainder of the administration.

ATTORNEY GENERAL.

AUGUSTUS H. GARLAND, of Arkansas, continued from last administration; resigned, and served to March 5, 1889.

WILLIAM H. H. MILLER, of Indiana, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 6, 1889; served through remainder of the administration.

POSTMASTER GENERAL.

DON M. DICKINSON, of Michigan, continued from last administration; resigned, and served to March 5, 1889.

JOHN WANAMAKER, of Pennsylvania, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 6, 1889; served through remainder of the administration.

SECRETARY OF THE NAVY.

WILLIAM C. WHITNEY, of New York, continued from last administration; resigned, and served to March 5, 1889.

BENJAMIN F. TRACY, of New York, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 6, 1889; served through remainder of the administration.

SECRETARY OF THE INTERIOR

WILLIAM F. VILAS, of Wisconsin, continued from last administration; resigned, and served to March 6, 1889.

JOHN W. NOBLE, of Missouri, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 7, 1889; served through remainder of the administration.

SECRETARY OF AGRICULTURE.

NORMAN J. COLMAN, of Missouri, continued from last administration; resigned, and served to March 6, 1889.

JEREMIAH M. RUSK, of Wisconsin, nominated, confirmed and commissioned March 5, 1889; entered upon duties March 7, 1889; served through remainder of the administration.

[Supplement to the Revised Statutes of the United States, Vol. 1, 2nd Edition, p. 888.]

Chap. 113.—*An act to amend section one hundred and eighty of the Revised Statutes of the United States.* February 6, 1891.
26 Stat. L., 723.

Be it enacted, &c., That section one hundred and eighty of the Revised Statutes of the United States, be, and the same is hereby, amended so as to read as follows: Vacancies of heads of Departments, how filled temporarily.

A vacancy occasioned by death or resignation must not be temporarily filled under the three preceding sections for a longer period than thirty days. Substitute for R. S., sec. 180.

(February 6, 1891.)

**THE ADMINISTRATION
OF
GROVER CLEVELAND**

SECOND TERM

March 4, 1893, to March 3, 1897

268 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTY-SEVENTH TERM, COMMENCING 4TH
MARCH, 1893, AND TERMINATING 3RD MARCH, 1897.

Number of Electoral Votes.	STATES.	President.			V. President.		
		Grover Cleveland, of New York.	Benjamin Harrison, of Indiana.	James B. Weaver, of Iowa.	Adlai E. Stevenson, of Illinois.	Whitelaw Reid, of New York.	James G. Field, of Virginia.
11	Alabama	11	..	..	11	..	..
8	Arkansas	8	..	..	8	..	..
9	California	8	1	..	8	1	..
4	Colorado .....	..	..	4	..	..	4
6	Connecticut	6	..	..	6	..	..
3	Delaware	3	..	..	3	..	..
4	Florida	4	..	..	4	..	..
13	Georgia	13	..	..	13	..	..
3	Idaho .....	..	..	3	..	..	3
24	Illinois	24	..	..	24	..	..
15	Indiana	15	..	..	15	..	..
13	Iowa .....	..	13	..	..	13	..
10	Kansas .....	..	..	10	..	..	10
13	Kentucky	13	..	..	13	..	..
8	Louisiana	8	..	..	8	..	..
6	Maine .....	..	6	..	..	6	..
8	Maryland	8	..	..	8	..	..
15	Massachusetts .....	..	15	..	..	15	..
14	Michigan	5	9	..	5	9	..
9	Minnesota .....	..	9	..	..	9	..
9	Mississippi	9	..	..	9	..	..
17	Missouri	17	..	..	17	..	..
3	Montana .....	..	3	..	..	3	..
8	Nebraska .....	..	8	..	..	8	..
3	Nevada .....	..	..	3	..	..	3
4	New Hampshire .....	..	4	..	..	4	..
10	New Jersey	10	..	..	10	..	..
36	New York	36	..	..	36	..	..
11	North Carolina	11	..	..	11	..	..
3	North Dakota	1	1	1	1	1	1
23	Ohio	1	22	..	1	22	..
4	Oregon .....	..	3	1	..	3	1
32	Pennsylvania .....	..	32	..	..	32	..
4	Rhode Island .....	..	4	..	..	4	..
9	South Carolina	9	..	..	9	..	..
4	South Dakota .....	..	4	..	..	4	..
12	Tennessee	12	..	..	12	..	..
15	Texas	15	..	..	15	..	..
4	Vermont .....	..	4	..	..	4	..
12	Virginia	12	..	..	12	..	..
4	Washington .....	..	4	..	..	4	..
6	West Virginia .....	..	..	..	..	6	..
12	Wisconsin	12	..	..	12	..	..
3	Wyoming .....	..	3	..	..	3	..
444, whole number; necessary to elect, 293.		277	145	22	277	145	22
Popular vote.....		5,556,918	5,176,108	1,041,028			
Plurality		380,810					

GROVER CLEVELAND, New York.

ADLAI E. STEVENSON, Illinois.

March 4, 1893, to March 3, 1897.

SECRETARY OF STATE.

WILLIAM F. WHARTON, of Massachusetts (Assistant Secretary), *ad interim* from last administration to March 6, 1893.

WALTER Q. GRESHAM, of Illinois, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; died May 28, 1895.

EDWIN F. UHL, of Michigan (Assistant Secretary), *ad interim* May 28, 1895, to May 30, 1895.

ALVEY A. ADEE, of the District of Columbia (Second Assistant Secretary), *ad interim* May 31, 1895.

EDWIN F. UHL, of Michigan (Assistant Secretary), *ad interim* June 1, 1895, to June 9, 1895.

RICHARD OLNEY, of Massachusetts, commissioned (recess of the Senate) June 8, 1895; entered upon duties June 10, 1895; nominated, confirmed and recommissioned December 3, 1895; served through remainder of the administration.

SECRETARY OF THE TREASURY.

CHARLES FOSTER, of Ohio, continued from last administration; resigned, and served to March 7, 1893.

JOHN G. CARLISLE, of Kentucky, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; served through remainder of the administration.

SECRETARY OF WAR.

STEPHEN B. ELKINS, of West Virginia, continued from last administration; resigned, and served to March 6, 1893.

DANIEL S. LAMONT, of New York, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; served through remainder of the administration.

ATTORNEY GENERAL.

WILLIAM H. H. MILLER, of Indiana, continued from last administration; resigned, and served to March 6, 1893.

RICHARD OLNEY, of Massachusetts, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; served to June 9, 1895; appointed Secretary of State June 8, 1895.

JUDSON HARMON, of Ohio, commissioned (recess of the Senate) June 8, 1895; entered upon duties June 11, 1895; nominated, confirmed and recommissioned December 3, 1895; served through remainder of the administration.

POSTMASTER GENERAL.

JOHN WANAMAKER, of Pennsylvania, continued from last administration; resigned, and served to March 6, 1893.

WILSON S. BISSELL, of New York, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; resigned February 27, 1895; served to April 3, 1895.

WILLIAM L. WILSON, of West Virginia, nominated February 28, 1895; confirmed and commissioned March 1, 1895; entered upon duties April 4, 1895; served through remainder of the administration.

SECRETARY OF THE NAVY.

BENJAMIN F. TRACY, of New York, continued from last administration; resigned, and served to March 6, 1893.

HILARY A. HERBERT, of Alabama, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

JOHN W. NOBLE, of Missouri, continued from last administration; resigned, and served to March 6, 1893.

HOKE SMITH, of Georgia, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; resigned and served to August 31, 1896.

JOHN M. REYNOLDS, of Pennsylvania (Assistant Secretary), *ad interim* September 1, 1896, to September 3, 1896.

DAVID R. FRANCIS, of Missouri, commissioned (recess of the Senate) September 1, 1896; entered upon duties September 4, 1896; nominated December 9, 1896; confirmed and recommissioned January 18, 1897; served through remainder of the administration.

SECRETARY OF AGRICULTURE.

JEREMIAH M. RUSK, of Wisconsin, continued from last administration; resigned, and served to March 7, 1893.

JULIUS STERLING MORTON, of Nebraska, nominated, confirmed and commissioned March 6, 1893; entered upon duties March 7, 1893; served through remainder of the administration.

[Supplement to the Revised Statutes of the United States, Vol. 2, p. 171.]

Chap. 25.—*An act to repeal all statutes relating to supervisors of elections and special deputy marshals, and for other purposes.* February 8, 1894.
28 Stat. L., 33.

Be it enacted, &c., That the following sections and parts of sections of the Revised Statutes of the United States be, and the same are hereby, repealed; that is to say of title
 "Elective franchise," * * * * * Election laws repealed.
 And also of title "Crimes," sections * * * * * Penalties abolished.
 * * * * * Repeal of R. S.,
 fifty-five hundred and twenty, * * * * * secs. . . .
 (February 8, 1894.) 5520, . . .

**THE ADMINISTRATION
OF
WILLIAM MCKINLEY**

FIRST TERM

March 4, 1897, to March 3, 1901

274 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTY-EIGHTH TERM, COMMENCING 4TH
MARCH, 1897, AND TERMINATING 3RD MARCH, 1901.

Number of Electoral Votes.	STATES.	President.		Vice President.		
		William McKinley, of Ohio.	William J. Bryan, of Nebraska.	Garret A. Hobart, of New Jersey.	Arthur Sewall, of Maine.	Thomas E. Watson, of Georgia.
11	Alabama.....	..	11	..	11	..
8	Arkansas.....	..	8	..	5	3
9	California.....	8	1	8	1	..
4	Colorado.....	..	4	..	4	..
6	Connecticut.....	6	..	6	..	..
3	Delaware.....	3	..	3	..	..
4	Florida.....	..	4	..	4	..
13	Georgia.....	..	13	..	13	..
3	Idaho.....	..	3	..	3	..
24	Illinois.....	24	..	24	..	..
15	Indiana.....	15	..	15	..	..
13	Iowa.....	13	..	13	..	..
10	Kansas.....	..	10	..	10	..
13	Kentucky.....	12	1	12	1	..
6	Louisiana.....	..	8	..	4	4
6	Maine.....	6	..	6	..	..
8	Maryland.....	8	..	8	..	..
15	Massachusetts.....	15	..	15	..	..
14	Michigan.....	14	..	14	..	..
9	Minnesota.....	9	..	9	..	..
9	Mississippi.....	..	9	..	9	..
17	Missouri.....	..	17	..	13	4
3	Montana.....	..	3	..	2	1
8	Nebraska.....	..	8	..	4	4
3	Nevada.....	..	3	..	3	..
4	New Hampshire.....	4	..	4	..	..
10	New Jersey.....	10	..	10	..	..
36	New York.....	36	..	36	..	..
11	North Carolina.....	..	11	..	6	5
3	North Dakota.....	..	3	..	..	..
23	Ohio.....	23	..	23	..	..
4	Oregon.....	4	..	4	..	..
32	Pennsylvania.....	32	..	32	..	..
4	Rhode Island.....	4	..	4	..	..
9	South Carolina.....	..	9	..	9	..
4	South Dakota.....	..	4	..	2	2
12	Tennessee.....	..	12	..	12	..
15	Texas.....	..	15	..	15	..
3	Utah.....	..	3	..	2	1
4	Vermont.....	4	..	4	..	..
12	Virginia.....	..	12	..	12	..
4	Washington.....	..	4	..	2	2
6	West Virginia.....	6	..	6	..	..
12	Wisconsin.....	12	..	12	..	..
3	Wyoming.....	..	3	..	2	1
447, whole number; necessary to elect, 224.		271	176	271	149	27
Popular vote		7,106,779	6,502,925			
Plurality		603,854				

WILLIAM MCKINLEY, Ohio.

GARRET A. HOBART, New Jersey (Died November 21, 1899).

WILLIAM P. FRYE, Maine, President *pro tempore* of the Senate.

March 4, 1897, to March 3, 1901.

SECRETARY OF STATE.

RICHARD OLNEY, of Massachusetts, continued from last administration; resigned, and served to March 5, 1897.

JOHN SHERMAN, of Ohio, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6, 1897; resigned April 25, 1898; served to April 27, 1898.

WILLIAM R. DAY, of Ohio, nominated, confirmed and commissioned April 26, 1898; entered upon duties April 28, 1898; resigned September 16, 1898, to become Chairman of the Spanish Peace Commission.

ALVEY A. ADEE, of the District of Columbia (Second Assistant Secretary), *ad interim* September 17, 1898, to September 29, 1898.

JOHN HAY, of the District of Columbia, commissioned (recess of the Senate) September 20, 1898; entered upon duties September 30, 1898; nominated December 6, 1898; confirmed and recommissioned December 7, 1898; served through remainder of the administration.


SECRETARY OF THE TREASURY.

JOHN G. CARLISLE, of Kentucky, continued from last administration; resigned, and served to March 6, 1897.

LYMAN J. GAGE, of Illinois, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6, 1897; served through remainder of the administration.

SECRETARY OF WAR.

DANIEL S. LAMONT, of New York, continued from last administration; resigned, and served to March 5, 1897.



RUSSELL A. ALGER, of Michigan, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6, 1897; resigned July 19, 1899; served to August 1, 1899.

ELIHU ROOT, of New York, commissioned (recess of the Senate) August 1, 1899; entered upon duties same day; nominated, confirmed and recommissioned December 6, 1899; served through remainder of the administration.

ATTORNEY GENERAL.

JUDSON HARMON, of Ohio, continued from last administration; resigned, and served to March 6, 1897.

JOSEPH McKENNA, of California, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 7, 1897; served to January 25, 1898; resigned January 26, 1898, to take a seat in the United States Supreme Court.

JOHN K. RICHARDS, of Ohio (Solicitor General), *ad interim* January 26, 1898, to January 31, 1898.

JOHN W. GRIGGS, of New Jersey, nominated January 22, 1898; confirmed and commissioned January 25, 1898; entered upon duties February 1, 1898; served through remainder of the administration.

POSTMASTER GENERAL.

WILLIAM L. WILSON, of West Virginia, continued from last administration; resigned, and served to March 5, 1897.

JAMES A. GARY, of Maryland, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6, 1897; resigned April 18, 1898; served to April 21, 1898.

CHARLES EMORY SMITH, of Pennsylvania, nominated, confirmed and commissioned April 21, 1898; entered upon duties April 22, 1898; served through remainder of the administration.

SECRETARY OF THE NAVY.

HILARY A. HERBERT, of Alabama, continued from last administration; resigned, and served to March 5, 1897.

JOHN D. LONG, of Massachusetts, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6, 1897; served through remainder of the administration.

SECRETARY OF THE INTERIOR.

DAVID R. FRANCIS, of Missouri, continued from last administration; resigned, and served to March 5, 1897.

CORNELIUS N. BLISS, of New York, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6, 1897; resigned, and served to February 19, 1899.

ETHAN A. HITCHCOCK, of Missouri, nominated, confirmed and commissioned December 21, 1898; entered upon duties February 20, 1899; served through remainder of the administration.

SECRETARY OF AGRICULTURE.

JULIUS STERLING MORTON, of Nebraska, continued from last administration; resigned, and served to March 5, 1897.

JAMES WILSON, of Iowa, nominated, confirmed and commissioned March 5, 1897; entered upon duties March 6 1897; served through remainder of the administration.



**THE ADMINISTRATION
OF
WILLIAM MCKINLEY**

SECOND TERM

March 4, 1901, to September 14, 1901

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**THE ADMINISTRATION
OF
WILLIAM MCKINLEY**

SECOND TERM

March 4, 1901, to September 14, 1901



280 EXECUTIVE REGISTER OF THE UNITED STATES

ELECTION FOR THE TWENTY-NINTH TERM, COMMENCING 4TH
MARCH, 1901, AND TERMINATING 3RD MARCH, 1905.

Number of Electoral Votes.	STATES.	President.		Vice President.	
		William McKinley, of Ohio.	William J. Bryan, of Nebraska.	Theodore Roosevelt, of New York.	Adlai E. Stevenson, of Illinois.
11	Alabama .....	..	11	..	11
8	Arkansas .....	..	8	..	8
9	California	9	..	9	..
4	Colorado .....	..	4	..	4
6	Connecticut	6	..	6	..
3	Delaware	3	..	3	..
4	Florida .....	..	4	..	4
13	Georgia .....	..	13	..	13
3	Idaho .....	..	3	..	3
24	Illinois	24	..	24	..
15	Indiana	15	..	15	..
13	Iowa	13	..	13	..
10	Kansas	10	..	10	..
13	Kentucky .....	..	13	..	13
8	Louisiana .....	..	8	..	8
6	Maine	6	..	6	..
8	Maryland	8	..	8	..
15	Massachusetts	15	..	15	..
14	Michigan	14	..	14	..
9	Minnesota	9	..	9	..
9	Mississippi .....	..	9	..	9
17	Missouri .....	..	17	..	17
3	Montana .....	..	3	..	3
8	Nebraska	8	..	8	..
3	Nevada .....	..	3	..	3
4	New Hampshire	4	..	4	..
10	New Jersey	10	..	10	..
36	New York	36	..	36	..
11	North Carolina .....	..	11	..	11
3	North Dakota	3	..	3	..
23	Ohio	23	..	23	..
4	Oregon	4	..	4	..
32	Pennsylvania	32	..	32	..
4	Rhode Island	4	..	4	..
9	South Carolina .....	..	9	..	9
4	South Dakota	4	..	4	..
12	Tennessee .....	..	12	..	12
15	Texas .....	..	15	..	15
3	Utah	3	..	3	..
4	Vermont	4	..	4	..
12	Virginia .....	..	12	..	12
4	Washington	4	..	4	..
6	West Virginia	6	..	6	..
12	Wisconsin	12	..	12	..
3	Wyoming	3	..	3	..
447, whole number; necessary to elect, 224.		292	155	292	155
Popular vote.....		7,207,923	6,358,133		
Plurality.....		849,790			

WILLIAM MCKINLEY, Ohio (Died September 14, 1901).

THEODORE ROOSEVELT, New York.

March 4, 1901, to September 14, 1901.

SECRETARY OF STATE.

JOHN HAY, of the District of Columbia, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

SECRETARY OF THE TREASURY.

LYMAN J. GAGE, of Illinois, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

SECRETARY OF WAR.

ELIHU ROOT, of New York, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

ATTORNEY GENERAL.

JOHN W. GRIGGS, of New Jersey, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; resigned, to take effect March 31, 1901.

JOHN K. RICHARDS, of Ohio (Solicitor General), *ad interim* April 1, 1901, to April 9, 1901.

PHILANDER C. KNOX, of Pennsylvania, commissioned (recess of the Senate) April 5, 1901; entered upon duties April 10, 1901; served through remainder of McKinley's administration.

POSTMASTER GENERAL.

CHARLES EMORY SMITH, of Pennsylvania, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

SECRETARY OF THE NAVY.

JOHN D. LONG, of Massachusetts, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

SECRETARY OF THE INTERIOR.

ETHAN A. HITCHCOCK, of Missouri, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

SECRETARY OF AGRICULTURE.

JAMES WILSON, of Iowa, continued from last administration; resigned March 5, 1901; renominated, confirmed and recommissioned March 5, 1901; served through remainder of McKinley's administration.

**THE ADMINISTRATION
OF
THEODORE ROOSEVELT**

September 14, 1901, to ———



TELEGRAM

Department of State,
Washington, September 14, 1901.

HON. THEODORE ROOSEVELT,
North Creek, New York.

The President died at two fifteen this morning.

JOHN HAY,
Secretary of State.

President Roosevelt took the oath of office at 3.30 p. m., September 14, 1901, in the library of the residence of Mr. Ansley Wilcox, in Buffalo.

Secretary Root said: "I have been requested on behalf of the cabinet of the late President—at least those who are present in Buffalo, all, except two—to request that for reasons of weight affecting the affairs of government you should proceed to take the constitutional oath of President of the United States." Mr. Roosevelt replied: "I shall take the oath at once in accordance with your request, and in this hour of deep and terrible national bereavement, I wish to state that it shall be my aim to continue absolutely unbroken the policy of President McKinley for the peace and prosperity and honor of our beloved country." He then repeated the oath after Judge Hazel, and signed the certificate, as follows:

United States of America, }
Western district of New York. } ss.

I, Theodore Roosevelt, do solemnly swear that I will faithfully execute the office of president of the United States; and will to the best of my ability, preserve, protect and defend the constitution of the United States.

THEODORE ROOSEVELT.

Subscribed and sworn
to before me, this 14th
day of September, a. d. 1901.

[SEAL] JOHN R. HAZEL,
U. S. J.

Those present were Secretaries * Root, Hitchcock, Long, and Wilson, and Postmaster General Smith; Senator Depew; Judge Haight, of the Court of Appeals; John N. Scatherd; Mr. and Mrs. Ansley Wilcox; Miss Wilcox, George P. Sawyer, Doctors Mann, Parke and Stockton; Mr. and Mrs. Carleton Sprague; Mr. and Mrs. John G. Milburn; Secretary William Loeb, Jr., Secretary George B. Cortelyou, Mr. and Mrs. Carey, R. T. Scatherd, J. D. Sawyer, and William Jeffers; and United States District Judge John R. Hazel, who administered the oath.

By the President of the United States of America.

A PROCLAMATION.

To the people of the United States:

A terrible bereavement has befallen our people. The President of the United States has been struck down; a crime not only against the Chief Magistrate, but against every law-abiding and liberty-loving citizen.

President McKinley crowned a life of largest love for his fellow men, of earnest endeavor for their welfare, by a death of Christian fortitude; and both the way in which he lived his life and the way in which, in the supreme hour of trial, he met his death will remain forever a precious heritage of our people.

It is meet that we as a nation express our abiding love and reverence for his life, our deep sorrow for his untimely death.

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, do appoint Thursday next, September 19, the day in which the body of the dead President will be laid in its last earthly resting place, as a day of mourning and prayer throughout the United States. I earnestly recommend all the people to assemble on that day in their respective places of divine worship, there to bow down in submission to the will of Almighty God, and to pay out of full hearts the homage

* Secretaries Hay and Gage were in Washington.

of love and reverence to the memory of the great and good President, whose death has so sorely smitten the nation.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, the fourteenth day of September, in the year of our Lord, one thousand nine hundred and one, and of the independence of the United States the one hundred and twenty-sixth.

THEODORE ROOSEVELT.

By the President:

JOHN HAY,

Secretary of State.

THEODORE ROOSEVELT, New York.

WILLIAM P. FRYE, Maine, President *pro tempore* of the Senate.

September 14, 1901, to ———

SECRETARY OF STATE.

JOHN HAY, of the District of Columbia, continued from McKinley's administration.

SECRETARY OF THE TREASURY.

LYMAN J. GAGE, of Illinois, continued from McKinley's administration; resigned December 19, 1901; served to January 31, 1902.

LESLIE M. SHAW, of Iowa, nominated January 8, 1902; confirmed and commissioned January 9, 1902; entered upon duties February 1, 1902.

SECRETARY OF WAR.

ELIHU ROOT, of New York, continued from McKinley's administration.

ATTORNEY GENERAL.

PHILANDER C. KNOX, of Pennsylvania, continued from McKinley's administration; nominated December 4, 1901; confirmed and recommissioned December 16, 1901.

POSTMASTER GENERAL.

CHARLES EMORY SMITH, of Pennsylvania, continued from McKinley's administration; resigned December 14, 1901; served to January 14, 1902.

HENRY C. PAYNE, of Wisconsin, nominated January 8, 1902; confirmed and commissioned January 9, 1902; entered upon duties January 15, 1902.

SECRETARY OF THE NAVY.

JOHN D. LONG, of Massachusetts, continued from McKinley's administration; resigned March 10, 1902; served to April 30, 1902.

WILLIAM H. MOODY, of Massachusetts, nominated, confirmed and commissioned April 29, 1902; entered upon duties May 1, 1902.

SECRETARY OF THE INTERIOR.

ETHAN A. HITCHCOCK, of Missouri, continued from McKinley's administration.

SECRETARY OF AGRICULTURE.

JAMES WILSON, of Iowa, continued from McKinley's administration.

APPENDIX

THE DECLARATION OF INDEPENDENCE.

In CONGRESS, July 4, 1776.


The unanimous Declaration of the thirteen united States of
America.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.—We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.—That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the

necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.—He has refused his Assent to Laws, the most wholesome and necessary for the public good.—He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.—He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.—He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.—He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.—He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.—He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.—He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.—He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.—He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.—He has kept among us, in times of peace, Standing Armies without the

Consent of our legislatures.—He has affected to render the Military independent of and superior to the Civil power.—He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:—For quartering large bodies of armed troops among us:—For protecting them, by a mock trial, from punishment for any Murders which they should commit on the Inhabitants of these States:—For cutting off our Trade with all parts of the world:—For imposing Taxes on, us without our Consent:—For depriving us in many cases, of the benefits of Trial by Jury:—For transporting us beyond Seas to be tried for pretended offences:—For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:—For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:—For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.—He has abdicated Government here, by declaring us out of his Protection and waging War against us.—He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.—He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.—He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their hands.—He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these

Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.—WE, THEREFORE, the Representatives of the UNITED STATES OF AMERICA, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.— And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.



ARTICLES OF CONFEDERATION AND PERPETUAL
UNION BETWEEN THE STATES.

TO ALL TO WHOM these Presents shall come, we the under signed Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventy seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of New-hampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia in the Words following, viz.


“Articles of Confederation and perpetual Union between the states of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

ARTICLE I. THE Stile of this confederacy shall be “The UNITED STATES OF AMERICA.”

ARTICLE II. EACH state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

ARTICLE III. THE said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV. THE better to secure and perpetuate mutual friendship and intercourse among the people of the



different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

IF any Person guilty of, or charged with treason, felony, or other high misdemeanor in any state, shall flee from Justice, and be found in any of the united states, he shall upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

FULL faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V. FOR the more convenient management of the general interests of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recal its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.

NO state shall be represented in Congress by less than two, nor by more than seven Members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the united states, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

EACH state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

IN determining questions in the united states, in Congress assembled, each state shall have one vote.

FREEDOM of speech and debate in Congress shall not be impeached or questioned in any Court, or place out of Congress, and the members of congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on congress, except for treason, felony, or breach of the peace.

ARTICLE VI. NO state without the Consent of the united states in congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King prince or state; nor shall any person holding any office of profit or trust under the united states, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the united states in congress assembled, or any of them, grant any title of nobility.

NO two or more states shall enter into any treaty, confederation or alliance whatever between them, without the consent of the united states in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

NO state shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the united states in congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by congress, to the courts of France and Spain.

NO vessels of war shall be kept up in time of peace by any state, except such number only, as shall be deemed necessary by the united states in congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only, as in the judgment of the united states, in congress

assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

NO state shall engage in any war without the consent of the united states in congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay, till the united states in congress assembled can be consulted: nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united states in congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united states in congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united states in congress assembled shall determine otherwise.


ARTICLE VII. WHEN land-forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII. ALL charges of war, and all other expences that shall be incurred for the common defence or general welfare, and allowed by the united states in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and

improvements thereon shall be estimated according to such mode as the united states in congress assembled, shall from time to time direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the united states in congress assembled.

ARTICLE IX. THE united states in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the united states shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of congress shall be appointed a judge of any of the said courts.

THE united states in congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of congress to the legislative or



executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as congress shall direct, shall in the presence of congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without shewing reasons, which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each state, and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to congress, and lodged among the acts of congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no state shall be deprived of territory for the benefit of the united states.

ALL controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the congress of the united states, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

THE united states in congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states—fixing the standard of weights and measures throughout the united states—regulating the trade and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated—establishing and regulating post-offices from one state to another, throughout all the united states, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expences of the said office—appointing all officers of the land forces, in the service of the united states, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the united states—making rules for the government and regulation of the said land and naval forces, and directing their operations.

THE united states in congress assembled shall have authority to appoint a committee, to sit in the recess of congress, to be denominated "A Committee of the States," and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the united states under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three



years; to ascertain the necessary sums of Money to be raised for the service of the united states, and to appropriate and apply the same for defraying the public expences—to borrow money, or emit bills on the credit of the united states, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted,—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expence of the united states, and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the united states in congress assembled: But if the united states in congress assembled shall, on consideration of circumstances judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the united states in congress assembled.

THE united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expences necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels of war, to be

built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine states assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the united states in congress assembled.

THE congress of the united states shall have power to adjourn to any time within the year, and to any place within the united states, so that no period of adjournment be for a longer duration than the space of six Months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the Journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X. THE committee of the states, or any nine of them, shall be authorised to execute, in the recess of congress, such of the powers of congress as the united states in congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the congress of the united states assembled is requisite.

ARTICLE XI. CANADA acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII. ALL bills of credit emitted, monies borrowed and debts contracted by, or under the authority of congress, before the assembling of the united states, in pursuance of the present confederation, shall be deemed and

considered as a charge against the united states, for payment and satisfaction whereof the said united states, and the public faith are hereby solemnly pledged.

ARTICLE XIII. EVERY state shall abide by the determinations of the united states in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united states, and be afterwards confirmed by the legislatures of every state.

AND WHEREAS it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. KNOW YE that we the under-signed delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: AND we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the united states in congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the states we respectively represent, and that the union shall be perpetual. IN WITNESS whereof we have hereunto set our hands in Congress. DONE at Philadelphia in the state of Pennsylvania the ninth Day of July in the Year of our Lord one Thousand seven Hundred and Seventy-eight, and in the third year of the independence of America.

On the part & behalf of the State of Delaware	{	Tho M'Kean, Feby. 12, 1779 John Dickinson May 5th 1779 Nicholas Van Dyke,	{	Josiah Bartlett John Wentworth Junr August 8th 1778	{	On the part & behalf of the State of New Hampshire
On the part and behalf of the State of Maryland	{	John Hanson March 1st 1781 Daniel Carroll do	{	John Hancock Samuel Adams Elbridge Gerry Francis Dana James Lovell Samuel Holten	{	On the part and behalf of The State of Massachusetts Bay
On the part and Behalf of the State of Virginia	{	Richard Henry Lee John Banister Thomas Adams Jno Harvie Francis Lightfoot Lee	{	William Ellery Henry Marchant John Collins	{	On the part and behalf of the State of Rhode- Island and Provi- -dence Plantations
On the part and Behalf of the State of N ^c Carolina	{	John Penn, July 21st 1778 Cornl Harnett Jno Williams	{	Roger Sherman Samuel Huntington Oliver Wolcott Titus Hosmer Andrew Adams	{	on the part and behalf of the State of Connecticut
On the part & behalf of the State of South- Carolina	{	Henry Laurens William Henry Drayton Jno Mathews Richd Hutson Thos Heyward Junr	{	Jas Duane Fras Lewis Wm Duar Govt Morris	{	On the Part and Behalf of the State of New York
On the part & behalf of the State of Georgia	{	Jno Walton 24th July, 1778 Edwd Telfair Edwd Langworthy	{	Jno Witherspoon Nathl Scudder	{	On the Part and in Behalf of the State of New Jersey Novr 28, 1778
				Robt Morris Daniel Roberdeau Jone Bayard Smith William Clingan Joseph Reed 22d July 1778		On the part and behalf of the State of Pennsylvania

THE CONSTITUTION OF THE UNITED STATES.

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article. I.

Section. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have ^{the} Qualifications requisite for Electors of the most numerous [^] Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and

until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.


Section. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.



The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States ^{is tried,} the Chief Justice shall preside: And no Person shall [^] be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meetings shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall,


without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of The United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it



shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—
And


To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless



in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of ^{the} Congress, lay any Imposts or Duties on Imports or Exports, [^]except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be ^{the}subject to the Revision and Controul of Congress.

No State shall, without the Consent of [^]the Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article. II.

Section. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President.

But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective

Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III.

Section. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts



as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article. IV.

Section. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of it's equal Suffrage in the Senate.

Article. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word, "the," being interlined between the seventh and eighth Lines of the first Page, The Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

Attest WILLIAM JACSON Secretary

G^o WASHINGTON—Presid^t
and deputy from Virginia

New Hampshire { JOHN LANGDON
NICHOLAS GILMAN }

Massachusetts { NATHANIEL GORHAM
RUFUS KING }

Connecticut { W^m: SAM^l: JOHNSON
ROGER SHERMAN }

New York . . . ALEXANDER HAMILTON

New Jersey { WIL: LIVINGSTON
DAVID BREARLEY.
W^m: PATERSON.
JONA: DAYTON }

Pennsylvania	{ B FRANKLIN THOMAS MIFFLIN ROB ^T MORRIS GEO. CLYMER THO ^S . FITZSIMONS JARED INGERSOLL JAMES WILSON GOUV MORRIS
Delaware	{ GEO: READ GUNNING BEDFORD jun JOHN DICKINSON RICHARD BASSETT JACO: BROOM
Maryland	{ JAMES M ^C HENRY DAN OF S ^T THO ^S . JENIFER DAN ^L CARROLL.
Virginia	{ JOHN BLAIR— JAMES MADISON Jr.
North Carolina	{ W ^M . BLOUNT RICH ^D DOBBS SPAIGHT HU WILLIAMSON
South Carolina	{ J. RUTLEDGE CHARLES COTESWORTH PINCKNEY CHARLES PINCKNEY PIERCE BUTLER
Georgia	{ WILLIAM FEW ABR BALDWIN

In Convention Monday September 17th 1787.

Present

The States of

New Hampshire, Massachusetts, Connecticut, Mr Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia. Resolved,

That the preceeding Constitution be laid before the United States in Congress assembled, and that it is the Opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its Legislature, for their Assent and Ratification; and that each Convention assenting to, and ratifying the Same, should give Notice thereof to the United States in Congress assembled.

Resolved, That it is the Opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a Day on which Electors should be appointed by the States which shall have ratified the same, and a Day on which the Electors should assemble to vote for the President, and the Time and Place for commencing Proceedings under this Constitution. That after such Publication the Electors should be appointed, and the Senators and Representatives elected: That the Electors should meet on the Day fixed for the Election of the President, and should transmit their Votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled, that the Senators and Representatives should convene at the Time and Place assigned; that the Senators should appoint a President of the Senate, for the sole Purpose of receiving, opening and counting the Votes for President; and, that after he shall be chosen, the Congress, together with the President, should, without Delay, proceed to execute this Constitution.

By the Unanimous Order of the Convention

G^o WASHINGTON Presid^t

W. JACKSON Secretary

[NOTE.—For the dates of ratification of the Constitution by the several States. see p. 4.]

Congress of the United States,

begun and held at the City of New-York, on

Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution:

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as Amendments to the Constitution of the United States, all or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution: viz^t

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

Article the first. . . . After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which, the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor

less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second...No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

Article the third.....Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth.....A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth.....No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth.....The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh..No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same

offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article the eighth...In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Article the ninth.In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth.....Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh....The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth...The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

FREDERICK AUGUSTUS MUHLENBERG Speaker
of the House of Representatives.

JOHN ADAMS, Vice-President of the United States,
and President of the Senate.

ATTEST,

JOHN BECKLEY, Clerk of the House of Representatives.

SAM. A. OTIS Secretary of the Senate.*

Third

Congress of the United States:

At the First session,

Begun and held at the City of Philadelphia, in the State of Pennsylvania, on Monday the Second of December one thousand seven hundred and ninety-three.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States; which when ratified by three-fourths of the said Legislatures shall be valid as part of the said Constitution, viz:

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

FREDERICK AUGUSTUS MUHLENBERG Speaker
of the House of Representatives.

JOHN ADAMS, { Vice President of the United States
and President of the Senate.

Attest.. { JOHN BECKLEY, ... Clerk of the House of Repre-
sentatives.
SAM. A. OTIS, Secretary of the Senate.†

* The first two amendments here appearing were not adopted. The ten following were ratified, and the ratifications were communicated by the President to Congress, from time to time, as the several States notified him of their action. They now stand as the first ten amendments to the Constitution.

† The eleventh amendment was declared by the President, in a message to Congress dated January 8, 1798, to have been ratified by three-fourths of the States.

EIGHTH CONGRESS OF THE UNITED STATES;

AT THE FIRST SESSION,

Begun and held at the city of Washington, in the territory of Columbia, on Monday, the seventeenth of October, one thousand eight hundred and three.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, Two thirds of both houses concurring, that in lieu of the third paragraph of the first section of the second article of the constitution of the United States, the following be proposed as an amendment to the constitution of the United States, which when ratified by three-fourths of the legislatures of the several states, shall be valid to all intents and purposes, as part of the said constitution, to wit:

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall

be taken by States, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

NATH^L MACON Speaker of the House
of Representatives.

A. BURR Vice-President of the United
States, and President of the Senate.

Attest—

JOHN BECKLEY.—Clerk of the House of Representatives.

SAM: A. OTIS Secretary of the Senate.*

Thirty-Eighth Congress of the United States of America;
At the—Second—Session,

Begun and held at the City of Washington, on Monday, the
fifth—day of December, one thousand eight hundred
and sixty-four.

* The twelfth amendment, proposed in lieu of the original third paragraph of section 1 of Article II, was declared in a proclamation of the Secretary of State, dated September 25, 1804, to have been ratified by three-fourths of the States.

A RESOLUTION

Submitting to the legislatures of the several States a proposition to amend the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both houses concurring), That the following article be proposed to the legislatures of the several States as an amendment to the constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely: Article XIII. Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section. 2. Congress shall have power to enforce this article by appropriate legislation.

SCHUYLER COLFAX

Speaker of the House of Representatives.

H. HAMLIN

Vice President of the United States.

and President of the Senate.

Approved, February 1. 1865. ABRAHAM LINCOLN

[INDORSEMENT.]

I certify that this Resolution did originate in the Senate

J. W. FORNEY
Secretary*

Thirty-ninth Congress of the United States, at the first session, begun and held at the City of Washington, in the District of Columbia, on Monday, the fourth day of December, one thousand eight hundred and sixty-five.

* The thirteenth amendment was declared in a proclamation of the Secretary of State, dated December 18, 1865, to have been ratified by twenty-seven of the thirty-six States.

Joint Resolution proposing an amendment to the Constitution of the United States.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of the Constitution, namely:

Article XIV.

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative

in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

SCHUYLER COLFAX

Speaker of the House of Representatives.

LA FAYETTE S. FOSTER,

President of the Senate pro tempore.

Attest.

EDW^D MCPHERSON.

Clerk of the House of Representatives.

J. W. FORNEY

Secretary of the Senate.*

* The fourteenth amendment being declared by a concurrent resolution of Congress, adopted July 21, 1868, to have been ratified by "three-fourths and more of the several States of the Union," the Secretary of State was required duly to promulgate the text. He accordingly issued a proclamation, dated July 28, 1868, declaring the proposed amendment to have been ratified by thirty of the thirty-six States.

Fortieth Congress of the United States of America;
At the third Session,
Begun and held at the city of Washington, on Monday, the
seventh day of December, one thousand eight hundred
and sixty-eight.

A RESOLUTION

Proposing an amendment to the Constitution of the United
States.

Resolved by the Senate and House of Representatives
of the United States of America in Congress assembled,
(two-thirds of both Houses concurring) That the following
article be proposed to the legislatures of the several States
as an amendment to the Constitution of the United States,
which, when ratified by three-fourths of said legislatures
shall be valid as part of the Constitution, namely:

Article XV.

Section 1. The right of citizens of the United States to
vote shall not be denied or abridged by the United States or
by any State on account of race, color, or previous condition
of servitude—

Section 2. The Congress shall have power to enforce this
article by appropriate legislation—

SCHUYLER COLFAX

Speaker of the House of Representatives.

B. F. WADE

President of the Senate pro tempore.

Attest:

EDW^D MCPHERSON

Clerk of House of Representatives.

GEO. C. GORHAM

Secy of Senate U. S.*

* The fifteenth amendment was declared in a proclamation of
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